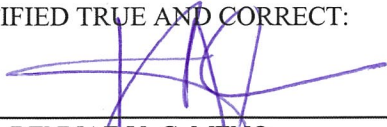


I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session
LEGISLATIVE SESSION VOTING RECORD

Bill No. 141-35 (COR) As amended by the Committee on Health, Tourism, Historic Preservation, Land, and Justice; and further amended on the Floor.		Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building February 4, 2020				
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓					
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN					✓	✓
Senator Louise B. MUÑA	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Vice Speaker Telen Cruz NELSON	✓	I				
Senator Sabina Flores PEREZ	✓					
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓					
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE	✓					
Senator Jose "Pedro" TERLAJE	✓					
Senator Therese M. TERLAJE	✓					
Senator Mary Camacho TORRES					✓	✓

TOTAL:	13				2	2
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
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

**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.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

“§ 61545. Penalty.

(a) Any person or business who violates any provision of § 61541 or § 61544 of this Chapter *shall* pay a civil penalty not to exceed One Thousand Dollars (\$1,000) for each violation occurring in Residential and Agricultural zones; and a civil penalty of One Thousand Dollars (\$1,000) for each violation occurring in Commercial and Industrial zones. If a violation is not rectified within ten (10) business days of receipt of a Notice of Violation from the Department of Public Works, any person or business in violation of §§ 61541 or 61544 of this Chapter *shall* be subject to a late action civil penalty not to exceed Three Hundred Dollars (\$300) per day for each remaining violation.

1 Failure to pay penalties and to rectify the violations may result in the
2 termination or non-renewal of the sign permit. Multiple successive violations
3 may be reported by the Department of Public Works to the Department of
4 Revenue and Taxation to rescind or suspend the Department of Public Work's
5 clearance for the sign-owner's business license. The Director of Public Works
6 *shall* have the authority to waive parts or all of the late action penalty should
7 the violator demonstrate a good faith effort to address the violation in a timely
8 manner; provided, that such waiver is limited to no more than thirty (30)
9 calendar days. Actions to recover the penalty provided for in this Section *shall*
10 be brought by the Attorney General of Guam and may be at the request of any
11 person in Guam. All penalties recovered in any such action *shall* be paid into
12 the Public Signage Enforcement Fund.

13 (b) There is created the "Public Signage Enforcement Fund" (Fund).
14 The Fund *shall not* be commingled with any other fund of the government of
15 Guam or instrumentality of the government of Guam. Expenditures from the
16 Fund are subject to appropriation by *I Liheslaturan Guåhan* and *shall* be used
17 solely for the enforcement of this Subarticle.

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

22 (d) Any person or business, within ten (10) working days of receipt
23 of a Notice of Violation, may file an appeal of the finding(s) of a violation.
24 The Guam Land Use Commission *shall* hear and decide appeals relative to
25 any penalty imposed pursuant to this Section. The payment of any penalty
26 *shall* be stayed during appeals. The Guam Land Use Commission *shall*
27 promulgate rules and regulations, in compliance with the Administrative

1 Adjudication Law (5 GCA Chapter 9), to implement the appeals process
2 relative to this Section within ninety (90) days of the enactment of this Act.”

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