

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

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Bill No. 384 (EC / ~~LS~~)

Introduced by:

R. Klitzkie

AN ACT TO PROHIBIT THE POSTING OF POLITICAL SIGNS
ON GOVERNMENT PROPERTY BY AMENDING TITLE 21
G.C.A. §61542.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section One. Title 21, Division 2, Chapter 61, Article 5, Part 5, §61542 is
3 amended to read:

4 “§ 61542. ~~Regulation~~ Prohibition of Political Signs.

5 Candidates for public office or other persons having an interest in an election ~~may~~
6 shall not place political signs which advocate voting for or against candidates, or other
7 matters to be considered by the electorate, on government property.

8 (a) **Definitions.**

9 (1) *Candidate* means a person seeking public office.

10 (2) *Government property* means any tangible or real property held by the
11 government of Guam including any government owned easement or highway.

12 (3) *Organization* means any political organization or political action group
13 advocating an issue in a special or general election.

14 (4) *Political sign* means all billboards, posters, banners or displays which
15 advocate a candidate for political office or any matter to be presented to the electorate for
16 vote.

17 (5) *Utility pole* means any pole erected for street lighting, power lines, and
18 cable television lines.

1 ~~(b) Permit: Fee; Deposit.~~ Any candidate or organization may apply for a
2 permit to post campaign signs with the Department of Public Works. The Director of
3 Public Works is authorized to charge a non refundable permit fee of One Hundred
4 Dollars (\$100.00) and a deposit of Two Hundred Dollars (\$200.00), or as increased from
5 time to time by rules and regulations promulgated by the Director of Public Works in
6 accordance with the Administrative Adjudication Law. Such rules and regulations shall
7 provide for procedures governing approval or rejection of permits, manner and location
8 of posting, maintenance of sign and surrounding area, procedures for notification,
9 removal of signs, forfeiture of deposit of any sign found in violation of this Section, and
10 any other rules or regulations necessary to ensure the safety of the public.

11 ~~(e)~~ **(b) Restrictions on Posting of Political Signs.**

12 (1) No political sign may be erected or posted upon the shoulder of any
13 roadway ~~unless it is eight (8) feet from the paved portion of the roadway and in such a~~
14 ~~manner that would not impede traffic or a driver's visibility, or erected upon any traffic~~
15 ~~median strip, sidewalk, road, or driveway.~~

16 (2) No political sign may be erected upon, on or within any government
17 building, or property, or nailed to any tree or attached to any fence on government
18 property.

19 (3) No political sign may be erected or posted within one hundred (100) feet
20 of any entrance to a public school, or upon any public school property, including school
21 fences and gates, ~~except after 6:00 p.m. on the day before the election date.~~

22 (4) No political sign may be posted upon any utility pole.

23 (5) No political signs may be posted upon any public park within the
24 jurisdiction of the Department of Parks and Recreation, the Department of Public Works,
25 or the village Mayors.

26 (6) No political sign may be erected or posted within one hundred (100) feet
27 of any intersection.

28 ~~(d) Period for Posting of Political Signs.~~ Political signs shall not be erected any
29 earlier than ninety (90) days before any special or primary election.

30 ~~(e) Size Restriction.~~ No political sign may exceed one hundred ninety two (192)
31 square feet in gross sign surface area. Any sign which exceeds one hundred ninety two

1 (192) square feet shall be removed immediately by the Department of Public Works, and
2 all sign materials and any deposit made shall be automatically forfeited to the
3 government of Guam.

4 ~~(f) Maintenance of Political Signs.~~ It shall be the responsibility of every
5 candidate or organization to maintain their sign in a manner which does not impede the
6 safety of the public, and which complies with applicable rules and regulations as adopted
7 by the Department of Public Works. Failure of a candidate or any organization to
8 maintain campaign signs shall be grounds for forfeiture of any deposit and all sign
9 materials.

10 ~~(g) (c) Removal of Signs.~~ Any sign in violation of any of the provisions of
11 Subsections (c), (d), (e) or (f) this Section shall be removed within forty-eight (48) hours
12 by the candidate or organization after notification by the Department of Public Works or
13 a Mayor of the village in which the sign is located. A sign not removed within forty-eight
14 (48) hours of notification ~~may~~ shall be removed immediately by the Department of Public
15 Works or the village Mayor. ~~Failure to remove any political sign in violation of this~~
16 ~~Section shall be grounds for forfeiture of any deposit. Every political sign shall be~~
17 ~~removed no later than fifteen (15) calendar days after the conclusion of any general or~~
18 ~~special election. Failure to remove any political sign within fifteen (15) days after the~~
19 ~~conclusion of any general or special election shall be grounds for forfeiture of any~~
20 ~~deposit.”~~

21 **Section Two. Effective Date.** This act shall be effective December 1, 2007.