

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
293-32 (COR)	T.A. Morrison A.A. Yamashita. Ph.D.	AN ACT TO AMEND §61542 OF CHAPTER 61 OF 21GCA RELATIVE TO POLITICAL SIGNS.	03/20/14 11:08 a.m.	03/21/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			Fiscal Note Request 3/25/14 Fiscal Note Received 4/22/14



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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Rory J. Respicio
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MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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Member

April 22, 2014

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Fiscal Notes / Waivers**

Hafa Adai!

Attached please find the fiscal notes and waivers for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

- ✓ Bill No.259-32(COR)
- ✓ Bill No. 279-32(COR)
- ✓ Bill No. 287-32(COR)
- ✓ Bill No. 293-32(COR)
- ✓ Bill No. 294-32(COR)
- ✓ Bill No. 301-32(COR)
- ✓ Bill No. 303-32(COR)

WAIVER:

- ✓ Bill No. 233-32(COR)
- ✓ Bill No. 295-32(COR)
- ✓ Bill No. 297-32(COR)
- ✓ Bill No. 300-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2014 APR 22 M 9:42

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNORJOSE S. CALVO
DEPUTY DIRECTOR

APR 21 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 259-32(COR), 279-32(COR), 287-32(COR), 293-32(COR), 294-32(COR), 301-32(COR), 303-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 233-32(COR), 295-32(COR), 297-32(COR), and 300-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "J.A. Rios".

JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 293-32 (COR)**

AN ACT TO AMEND §61542 OF CHAPTER 61 OF 21GCA RELATIVE TO POLITICAL SIGNS.

Department/Agency Appropriation Information	
Dept./Agency Affected: Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	11,235,337
Department's Other Fund (Specify) appropriation(s) to date: DPW Building & Design Fund (\$597,019); Guam Highway Fund (\$8,132,517)	8,729,536
Total Department/Agency Appropriation(s) to date:	\$19,964,873

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. I(4-S))	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	1/	1/	1/	1/	1/	1/
(Specify Special Fund)	1/	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/	1/

- 1. Does the bill contain "revenue generating" provisions? /X/ Yes / / No
If Yes, see attachment
- 2. Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
- 3. Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- 4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate re / / N/A /X/ Yes / / No
/ / Requested agency comments not received by due date / / Other:

Analyst: Angela Flores, BMA IV Date: 4/17/14 Director: John A. Rios, Director Date: APR 21 2014

Footnotes: 1/
Enactment of the proposed legislation entails a fiscal impact relative to staff requirements to carry out enforcement activities to be performed by the Department of Public Works, Highway Maintenance Division (Guam Highway Fund) or the respective village mayors (General Fund), the cost breakdown for which is not available at this time. A fine of \$25 is imposed per day per sign (located on government rights-of-way) for each day the sign is in violation of the requirements specified in the Bill. The Bill includes that in addition to the period after any general or special election, that also after the conclusion of any primary election, if the candidate is not successful in the primary election, every political sign for such candidate shall be removed no later than 15 calendar days. Failure to remove such sign shall be grounds for forfeiture of any deposit plus a fine of \$25 per day per sign for each day the sign is not removed after the 15 days, which is to be deposited into the General Fund.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 293-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	1/	1/	1/	1/	1/
Other Fund:	\$0	\$0	\$0	\$0	\$0
Total	1/	1/	1/	1/	1/

Comments:

Enactment of the proposed legislation entails a fiscal impact relative to staff requirements to carry out the enforcement activities to be performed by the Department of Public Works, Highway Maintenance Division (Guam Highway Fund) or the respective village mayors (General Fund), the cost breakdown for which is not available at this time. A fine of \$25 is imposed per day per sign for each day the sign is in violation of the requirements specified in the Bill. The Bill includes that in addition to the period after any general or special election, that also after the conclusion of any primary election, if the candidate is not successful in the primary election, every political sign shall be removed no later than 15 calendar days. Failure shall be grounds for forfeiture of any deposit plus a fine of \$25 per day per sign for each day the sign is not removed after the 15 days, which is deposited into the General Fund. As an example, after the conclusion of a primary election, and one week has lapsed from such conclusion date, if 3 candidates are not successful in the primary election, and each have 25 signs which are not removed, then citations will be issued for a total of \$13,750 (i.e. \$25 dollars per sign x 25 signs of 1 candidate x 7 days x 3 candidates = \$13,125). And since the statute currently provides that failure to remove any political sign in violation of this Section shall be grounds for forfeiture of any deposit, then an additional of \$600 would be assessed in this case (i.e. \$200 each x 3 candidates = \$600).



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March 25, 2014

VIA E-MAIL

john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 293-32 (COR) through 295-32(COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
293-32 (COR)	T.A. Morrison A.A. Yamashita. Ph.D.	AN ACT TO AMEND §61542 OF CHAPTER 61 OF 21GCA RELATIVE TO POLITICAL SIGNS.
294-32 (COR)	D.G. RODRIGUEZ, Jr. B.J.F. CRUZ C.M. DUENAS J.T. WON PAT, Ed.D. A.A. YAMSHITA, Ph.D V.ANTHONY ADA R.J. RESPICIO B.T. McCREADIE T.A. MORRISON	AN ACT TO ESTABLISH THE “POLICE PATROL VEHICLE & EQUIPMENT REVOLVING FUND” , BY ADDING A NEW SECTION § 77135 TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED; AND TO PROVIDE FUNDING BY AMENDING § 3602 OF ARTICLE 6, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE ASSESSMENT AND COLLECTION OF VEHICLE SAFETY INSPECTION FEES.
295-32 (COR)	FRANK B. AGUON, JR	AN ACT TO ADD A §849.7 TO CHAPTER 1 OF ARTICLE 1 OF TITLE 1 GUAM CODE ANNOTATED; RELATIVE TO NAMING THE TIYAN FOOTBALL FIELD IN HONOR OF “MIKKEL TAN I. VY FOUNDATION.”



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March 21, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 293-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 293-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 293-32 (cop)

Introduced by:

T.A. Morrison

A.A. Yamashita, Ph.D.

AN ACT TO AMEND §61542 OF CHAPTER 61 OF 21GCA
RELATIVE TO POLITICAL SIGNS.

2014 MAR 20 AM 11:08

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

2

3 **Section 1.** Section 61542 of Chapter 61 of 21GCA is *amended* to read:

4

5 **§61542. Regulation of Political Signs.**

6

7 Candidates for public office or other persons having an interest in an election may
8 place political signs which advocate voting for or against candidates, or other matters
9 to be considered by the electorate, on government property in accordance with the
10 following provisions:

11

12 (a) Definitions.

13

14 (1) Candidate means a person seeking public office.

15

16 (2) Government property means any tangible or real property held by the
17 government of Guam.

18

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

3
4 (4) Political sign means all billboards, posters, banners or displays which
5 advocate a candidate for political office or any matter to be presented to the
6 electorate for vote.

7
8 (5) Utility pole means any pole erected for street lighting, power lines, and
9 cable television lines.

10
11 (b) Notice. Notice shall be posted on the campaign sign that the advertisement has
12 been approved or authorized by the candidate or, if the advertisement has not been
13 authorized by the candidate the name and mailing address of the individual(s) or
14 organization that paid for the advertisement.

15 (c) Permit: Fee; Deposit. Any candidate or organization may apply for a permit to
16 post campaign signs with the Department of Public Works. The Director of Public
17 Works is authorized to charge a non-refundable permit fee of One Hundred Dollars
18 (\$100.00) and a deposit of Two Hundred Dollars (\$200.00), or as increased from time
19 to time by rules and regulations promulgated by the Director of Public Works in
20 accordance with the Administrative Adjudication Law. Such rules and regulations shall
21 provide for procedures governing approval or rejection of permits, manner and
22 location of posting, maintenance of sign and surrounding area, procedures for
23 notification, removal of signs, forfeiture of deposit of any sign found in violation of
24 this Section, and any other rules or regulations necessary to ensure the safety of the
25 public.

26
27 (d) Restrictions on Posting of Political Signs.
28

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

5
6 (2) No political sign may be erected upon, on or within any government
7 building, or nailed to any tree or attached to any fence on government property.

8
9 (3) No political sign may be erected or posted within one hundred (100) feet
10 of any entrance to a public school, or upon any public school property, including
11 school fences and gates, except after 6:00 p.m. on the day before the election
12 date.

13
14 (4) No political sign may be posted upon any utility pole.

15
16 (5) No political signs may be posted upon any public park within the
17 jurisdiction of the Department of Parks and Recreation, the Department of
18 Public Works, or the village Mayors.

19
20 (6) No political sign may be erected or posted within one hundred (100) feet
21 of any intersection.

22
23 (e) Period for Posting of Political Signs. Political signs shall not be erected any
24 earlier than ~~ninety (90)~~ sixty (60) days before any special or primary election.

25
26 (f) Size Restriction. No political sign may exceed thirty-two (32) square feet in
27 gross sign surface area. Any sign which exceeds thirty-two
28

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

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

10
11 (h) Removal of Signs. Any sign in violation of any of the provisions of Subsections
12 (b), (d), (e), (f) or (g) shall be removed within forty-eight (48) hours by the candidate
13 or organization after notification by the Department of Public Works or a Mayor of the
14 village in which the sign is located. A sign not removed within forty-eight (48) hours
15 of notification may be removed immediately by the Department of Public Works or the
16 village Mayor. A fine of twenty five dollars (\$25) per day per sign for each day the
17 sign, in violation of this paragraph, is not removed after forty-eight (48) hours.

18
19 Failure to remove any political sign in violation of this Section shall be grounds for
20 forfeiture of any deposit. Every political sign shall be removed no later than fifteen
21 (15) calendar days after the conclusion of any general or special election or primary
22 election if the candidate is not successful in the primary election. Failure to remove
23 any political sign within fifteen (15) days after the conclusion of any general or special
24 election shall be grounds for forfeiture of any deposit plus a fine of twenty five dollars
25 (\$25) per day per sign for each day the sign not removed after the said fifteen (15)
26 days, supra.