

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

DEC 31 2014

33-15-0025

Office of the Speaker
Judith T. Won Pat, Ed.D

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Date: 1/6/14
Time: 4:07 PM
Received By: CARL SANCHEZ

Dear Madame Speaker:

Transmitted herewith is Bill No. 293-32 (COR) "AN ACT TO AMEND § 61542 OF SUBARTICLE 5 OF ARTICLE 5, CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO POLITICAL SIGNS" which I signed into law on December 29, 2014 as Public Law 32-209.

Senseramente,


EDDIE BAZA CALVO

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0025

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


CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÁHAN

This is to certify that **Substitute Bill No. 293-32 (COR), "AN ACT TO AMEND § 61542 OF SUBARTICLE 5 OF ARTICLE 5, CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO POLITICAL SIGNS,"** was on the 17th day of December, 2014, duly and regularly passed.




Judith T. Won Pat, Ed.D.
Speaker

Attested:


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guáhan* this 21 day of Dec,
2014, at
6:30 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'lahen Guáhan

Date: DEC 29 2014

Public Law No. 32-209

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

Bill No. 293-32 (COR)

As substituted by the Author; and
amended on the Floor.

Introduced by:

Tommy Morrison
Aline A. Yamashita, Ph.D.
R. J. Respicio
V. Anthony Ada
Michael T. Limtiaco
T. C. Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Chris M. Dueñas
Brant T. McCreadie
T. R. Muña Barnes
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND § 61542 OF SUBARTICLE 5 OF
ARTICLE 5, CHAPTER 61 OF TITLE 21, GUAM CODE
ANNOTATED, RELATIVE TO POLITICAL SIGNS.**

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

2 **Section 1.** § 61542 of Subarticle 5 of Article 5, Chapter 61 of Title 21,
3 Guam Code Annotated, is hereby *amended* to read:

4 “§ 61542. **Regulation of Political Signs.**

5 Candidates for public office or other persons having an interest in an
6 election may place political signs which advocate voting for or against

1 candidates, or other matters to be considered by the electorate, on
2 government property in accordance with the following provisions:

3 (a) Definitions.

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

5 (2) *Government property* means any tangible or real property
6 held by the government of Guam.

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

10 (4) *Political sign* means all billboards, posters, banners or
11 displays which advocate a candidate for political office or any matter
12 to be presented to the electorate for vote, and all items put on public
13 property to erect or secure the billboard, poster, banner, or display in
14 place, including rebars and wires.

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

17 (b) Notice. Notice *shall* be posted on the campaign sign that the
18 advertisement has been approved or authorized by the candidate or, if the
19 advertisement has *not* been authorized by the candidate, the name and
20 mailing address of the individual(s) or organization that paid for the
21 advertisement.

22 (c) Permit: Fee; Deposit. Any candidate or organization may apply
23 for a permit to post campaign signs with the Department of Public Works.
24 The Director of Public Works is authorized to charge a non-refundable
25 permit fee of One Hundred Dollars (\$100.00) and a deposit of Two Hundred
26 Dollars (\$200.00), or as increased from time to time by rules and regulations
27 promulgated by the Director of Public Works in accordance with the

1 Administrative Adjudication Law. Such rules and regulations *shall* provide
2 for procedures governing approval or rejection of permits, manner and
3 location of posting, maintenance of sign and surrounding area, procedures
4 for notification, removal of signs, forfeiture of deposit of any sign found in
5 violation of this Section, and any other rules or regulations necessary to
6 ensure the safety of the public.

7 (d) Restrictions on Posting of Political Signs.

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

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

16 (3) No political sign may be erected or posted within one
17 hundred (100) feet of any entrance to a public school, or upon any
18 public school property, including school fences and gates.

19 (4) No political sign or sticker may be posted upon any
20 utility pole or guard rail.

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

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

1 (e) Period for Posting of Political Signs. Political signs *shall not* be
2 erected any earlier than sixty (60) days before any special or primary
3 election.

4 (f) Size Restriction. No political sign may exceed thirty-two (32)
5 square feet in gross billboard, poster, banner or display surface area. Any
6 sign which exceeds thirty-two (32) square feet *shall* be removed
7 immediately by the Department of Public Works, and all sign materials and
8 any deposit made *shall* be automatically forfeited to the government of
9 Guam.

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

16 (h) Removal of Signs. Any sign in violation of any of the
17 provisions of Subsections (b), (d), (e), (f) or (g) of this Section, or any of the
18 sign regulations outlined in §§ 61541 - 61546 of this Subarticle 5, *shall* be
19 removed within forty-eight (48) hours by the candidate or organization after
20 notification by the Department of Public Works, or the Mayor of the village
21 in which the sign is located. A sign not removed within forty-eight (48)
22 hours of notification may be removed immediately by the Department of
23 Public Works or the village Mayor. The candidate or organization *shall* be
24 responsible for paying a fine of Twenty-Five Dollars (\$25.00) per day per
25 sign for each day a sign, in violation of this Section, is not removed after
26 forty-eight (48) hours. Failure to remove any political sign and all items
27 used in the erection and securing of the political sign, including rebar and

1 wires, in violation of this Section *shall* be grounds for forfeiture of any
2 deposit.

3 Every political sign *shall* be removed *no later than* fifteen (15)
4 calendar days after the conclusion of any general or special election. Failure
5 to remove any political sign within fifteen (15) days after the conclusion of
6 any general, special, or primary election, as applicable, *shall* be grounds for
7 forfeiture of any deposit, plus a fine of Twenty-Five Dollars (\$25.00) per
8 day per sign for each day a sign, in violation of this Section, is not removed
9 after the said fifteen (15) days, *supra*.

10 (i) All fees, deposits, and fines collected pursuant to the provisions
11 of this Section *shall* be deposited into the Public Rights-Of-Way Account of
12 the Territorial Highway Fund for the purpose of maintaining safe and clean
13 public roadways. Sufficient funds *shall* be reserved for the refund of
14 deposits, pursuant to this Section.”