

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:**

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

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

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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:

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12 (a) Definitions.

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

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

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

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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.

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

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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.

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

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

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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.

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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.

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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
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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.

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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.

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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.

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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.