

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

Bill No. 354-32 (LS)

Introduced by:

Michael F.Q. San Nicolas 

AN ACT TO AUTHORIZE OWNERS OF PRIVATE PROPERTY TO ERECT OR HAVE ERECTED POLITICAL SIGNAGE, BY ADDING A NEW ITEM (5) TO SUBSECTION (a), A NEW ITEM (3) TO SUBSECTION (b), A NEW ITEM (3) TO SUBSECTION (c), EACH OF §61541, PART 5, ARTICLE 5, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*
3 finds that in March of this year, former Senator Robert Klitzkie wrote an
4 editorial in which he pointed out that under Part 5 of Article 5, Chapter 61,
5 Title 21, Guam Code Annotated, political signs that are posted on private
6 property are illegal.

7 *I Liheslaturan Guåhan* further finds that a gubernatorial candidate and
8 several senatorial candidates have signs posted on private property,
9 contrary to the provisions of this law. The Director of Public Works has
10 stated that he has no interest in enforcing the sign laws on private
11 property, referring to it as a free speech issue.

1 *I Liheslatura* finds that the people of Guam should not be made law-
2 breakers by posting political signage on their property.

3 It is therefore the intent of *I Liheslaturan Guåhan* to allow owners of
4 private property to erect or have erected political signage by adding a new
5 Item (5) to Subsection (a), a new Item (3) to Subsection (b), a new Item (3) to
6 Subsection (c), each of §61541, Part 5, Article 5, Chapter 61, Title 21, Guam
7 Code Annotated.

8 **Section 2. Political Signage in Residential and Agricultural Zones.**

9 A *new* Item (5) is hereby *added* to §61541(a) of Part 5, Article 5, Chapter 61,
10 Title 21, Guam Code Annotated, to read:

11 “(5) Political signs which advocate voting for or against
12 candidates, or other matters to be considered by the electorate,
13 provided that if such signs are posted on property adjacent to any
14 roadway, it shall be at least eight (8) feet from the paved portion of
15 the roadway and in such a manner that would not impede traffic or a
16 driver’s visibility.”

17 **Section 3. Political Signage in Commercial Zones.** A *new* Item (3) is
18 hereby *added* to §61541(b) of Part 5, Article 5, Chapter 61, Title 21, Guam
19 Code Annotated, to read:

20 “(3) Political signs which advocate voting for or against
21 candidates, or other matters to be considered by the electorate,
22 provided that if such signs are posted on property adjacent to any
23 roadway, it shall be at least eight (8) feet from the paved portion of

1 the roadway and in such a manner that would not impede traffic or a
2 driver's visibility."

3 **Section 4. Political Signage in Industrial Zones.** A *new* Item (3) is
4 hereby *added* to §61541(c) of Part 5, Article 5, Chapter 61, Title 21, Guam
5 Code Annotated, to read:

6 "(3) Political signs which advocate voting for or against
7 candidates, or other matters to be considered by the electorate,
8 provided that if such signs are posted on property adjacent to any
9 roadway, it shall be at least eight (8) feet from the paved portion of
10 the roadway and in such a manner that would not impede traffic or a
11 driver's visibility."
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