

EDDIE BAZA CALVO

Governor

RAY TENORIO

Lieutenant Governor

Office of the Governor of Guam.

DEC 3 1 2014

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

33-15-0025

Office of the Speaker Judith F. Won Pat. Fd.D

Received by CARO THELE

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.

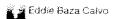
Senseramente,

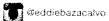
EDDIE BAZA CALVO

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

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

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 Attestec Tina Rose Muña Barnes Legislative Secretary This Act was received by I Maga'lahen Guåhan this 1 day of Occ. 2014, at 6:35 o'clock P.M. Assistant Staff Officer Maga'lahi's Office APPROVED: EDWARD J.B. CALVO I Maga'lahen Guåhan DEC 2 9 2014 Date:

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.

BE IT ENACTED BY THE PEOPLE OF GUAM: Section 1. § 61542 of Subarticle 5 of Article 5, Chapter 61 of Title 21, Guam Code Annotated, is hereby amended to read: "§ 61542. Regulation of Political Signs. Candidates for public office or other persons having an interest in an election may place political signs which advocate voting for or against

candidates, or other matters to be considered by the electorate, on 1 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 to be presented to the electorate for vote, and all items put on public 12 property to erect or secure the billboard, poster, banner, or display in 13 14 place, including rebars and wires. 15 Utility pole means any pole erected for street lighting, **(5)** 16 power lines, and cable television lines. 17 Notice. Notice shall be posted on the campaign sign that the (b) advertisement has been approved or authorized by the candidate or, if the 18 19 advertisement has not been authorized by the candidate, the name and mailing address of the individual(s) or organization that paid for the 20 21 advertisement. 22 (c) Permit: Fee; Deposit. Any candidate or organization may apply for a permit to post campaign signs with the Department of Public Works. 23 The Director of Public Works is authorized to charge a non-refundable 24

permit fee of One Hundred Dollars (\$100.00) and a deposit of Two Hundred

Dollars (\$200.00), or as increased from time to time by rules and regulations

promulgated by the Director of Public Works in accordance with the

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

(d) Restrictions on Posting of Political Signs.

- (1) No political sign may be erected or posted upon the shoulder of any roadway unless it is eight (8) feet from the paved portion of the roadway, and in such a manner that would not impede traffic or a driver's visibility; or erected upon any traffic median strip, sidewalk, road, or driveway.
- (2) No political sign may be erected upon, on or within any government building, or nailed to any tree or attached to any fence on government property.
- (3) No political sign may be erected or posted within one hundred (100) feet of any entrance to a public school, or upon any public school property, including school fences and gates.
- (4) No political sign or sticker may be posted upon any utility pole or guard rail.
- (5) No political signs may be posted upon any public parks within the jurisdiction of the Department of Parks and Recreation, the Department of Public Works, or the village Mayors.
- (6) No political sign may be erected or posted within one hundred (100) feet of any intersection.

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

- (f) Size Restriction. No political sign may exceed thirty-two (32) square feet in gross billboard, poster, banner or display surface area. Any sign which exceeds thirty-two (32) square feet *shall* be removed immediately by the Department of Public Works, and all sign materials and any deposit made *shall* be automatically forfeited to the government of Guam.
- (g) Maintenance of Political Signs. It *shall* be the responsibility of every candidate or organization to maintain their sign in a manner which *does not* impede the safety of the public, and which complies with applicable rules and regulations as adopted by the Department of Public Works. Failure of a candidate or any organization to maintain campaign signs *shall* be grounds for forfeiture of any deposit and all sign materials.
- (h) Removal of Signs. Any sign in violation of any of the provisions of Subsections (b), (d), (e), (f) or (g) of this Section, or any of the sign regulations outlined in §§ 61541 61546 of this Subarticle 5, shall be removed within forty-eight (48) hours by the candidate or organization after notification by the Department of Public Works, or the Mayor of the village in which the sign is located. A sign not removed within forty-eight (48) hours of notification may be removed immediately by the Department of Public Works or the village Mayor. The candidate or organization shall be responsible for paying a fine of Twenty-Five Dollars (\$25.00) per day per sign for each day a sign, in violation of this Section, is not removed after forty-eight (48) hours. Failure to remove any political sign and all items used in the erection and securing of the political sign, including rebars and

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

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

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