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)		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			



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

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Senator Rory J. Respicio Chairperson Majority Leader

March 21, 2014

Senator Thomas C. Ada Vice Chairperson Assistant Majority Leader

Senator Vicente (Ben) C. Pangelinan Member

Speaker Judith T.P. Won Pat, Ed.D. Member

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Senator Frank Blas Aguon, Jr. Member

Senator Michael F.Q. San Nicolas Member

> Senator V. Anthony Ada Member MINORITY LEADER

Senator Aline Yamashita Member <u>MEMORANDUM</u>

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 (00P)

Introduced by:

T.A. Morrison A.A. Yamashita. Ph.D.

7004 MAR 20 AM 11: 08

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

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

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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- (1) Candidate means a person seeking public office.
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16 (2) Government property means any tangible or real property held by the17 government of Guam.

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(3) Organization means any political organization or political action group 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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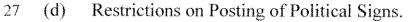
8 (5) Utility pole means any pole erected for street lighting, power lines, and 9 cable television lines.

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

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

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(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.

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.

(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.

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(e) Period for Posting of Political Signs. Political signs shall not be erected any
 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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(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.

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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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(h) Removal of Signs. Any sign in violation of any of the provisions of Subsections
(b), (d), (e), (f) or (g) shall be removed within forty-eight (48) hours by the candidate
or organization after notification by the Department of Public Works or a 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. <u>A fine of twenty five dollars (\$25) per day per sign for each day the</u>
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 forfeiture of any deposit. Every political sign shall be removed no later than fifteen 20(15) calendar days after the conclusion of any general or special election or primary 21 election if the candidate is not successful in the primary election. Failure to remove 22 any political sign within fifteen (15) days after the conclusion of any general or special 23 election shall be grounds for forfeiture of any deposit plus a fine of twenty five dollars 24 25 (\$25) per day per sign for each day the sign not removed after the said fifteen (15) 26days, supra.