EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

NOV 0 9 2017

Office of the Governor Of Guam.

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

GL# 34-17-1214
Speaker Benjamin J.F. Cruz
NOV 0 9 2017
Time: 4:30 [ ] AM [/] PM File No. 34-1206
Received By:

Dear Mr. Speaker:

Attached is Bill No. 156-34 (COR) entitled *"An Act to Amend § 6108. . . and §§ 15201 and 15206. . . all of Title 3 Guam Code Annotated, Relative to Changing the date of the Primary Election and the Date of Filing Candidate Nomination Papers,"* which I have **VETOED**.

Subsection 2 of Bill 156-34 amends existing 3 G.C.A. § 6108 to extend the current time deadlines for filing "nominating petitions" with the Guam Election Commission by 30 days. That is, nominating petitions must be filed *"no earlier than 160 days"* and no later than 90 days before the primary election.

In contrast, subsection 4 of Bill 156-34 amends 3 G.C.A. § 15206 to provide that the time for filing "nominating papers" with the Election Commission is *"not earlier than 130 days"* before the primary election.

Under existing 3 G.C.A. § 15203, there is no difference between "nomination papers" and "nominating petition." Yet, under Bill 156-34, different deadlines (130 days vs. 160 days) are given for filing the same thing.

Because Bill 156-34 is internally inconsistent with itself and causes confusion, I am vetoing it.

2017 NOV -9 PM 4:58

Senseramente,

1214

EDDIE BAZA CALVO

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 156-34 (COR), "AN ACT TO *AMEND* § 6108 OF CHAPTER 6, AND §§ 15201 AND 15206 OF ARTICLE 2, CHAPTER 15, ALL OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CHANGING THE DATE OF THE PRIMARY ELECTION AND THE DATE OF FILING CANDIDATE NOMINATION PAPERS,"** was on the 27th day of October 2017, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 30th day of Oct, 2017, at 11:30 o'clock a.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:
VETO

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date:_____

Public Law No._____

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 156-34 (COR)
As amended by the Committee on General Government Operations and Federal, Foreign, and Regional Affairs.

Introduced by: Mary Camacho Torres
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje

AN ACT TO *AMEND* § 6108 OF CHAPTER 6, AND §§ 15201 AND 15206 OF ARTICLE 2, CHAPTER 15, ALL OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CHANGING THE DATE OF THE PRIMARY ELECTION AND THE DATE OF FILING CANDIDATE NOMINATION PAPERS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the date of the primary election on Guam has an adverse impact on the workload requirement and expenses of the Guam Election Commission. By statute,

nomination papers for candidates are due at least sixty (60) days prior to the date for holding the primary election. Absentee ballots are required to be mailed or transmitted by email to absentee voters within forty-eight (48) hours of request or within forty-eight (48) hours of certification of the ballots, whichever is later. These timelines afford the Guam Election Commission only fifteen (15) days from the last day nomination papers are due and verified, up to the deadline to mail off-island ballots for the primary election. The Guam Election Commission has an average of thirteen (13) days between the certification of the primary election and the date to mail off-island absentee ballots for the General Election. *I Liheslaturan Guåhan* finds that by changing the deadline to file nomination papers and the timeframe of the primary election to an earlier date, the Guam Election Commission will have the advantage of thirty (30) days of preparation after the date to file nominating papers and an additional three (3) or four (4) weeks of preparation between the Primary and General Elections. The Guam Election Commission will be less constrained by time and will conduct Guam elections with better efficiency and without substantial overtime expenses.

Section 2. § 6108 of Chapter 6, Title 3, Guam Code Annotated, is hereby *amended* to read:

"**§ 6108. Filing of Nominating Petitions.**

Notwithstanding any other provision of law, candidates for *I Liheslaturan Guåhan*, offices of *I Maga'låhen Guåhan* [Governor] and *I Segundu Na Maga'låhen Guåhan* [Lieutenant Governor], Washington Representative, Mayor and Vice Mayor, the Public Auditor, and the Attorney General *shall* file their nomination petition papers and all other required documents with the Commission no earlier than one hundred sixty (160) days before the primary election, and no later than ninety (90) days before the primary election.

Notwithstanding any other provision of law, candidates for the Guam Education Board and the Consolidated Commission on Utilities *shall* file their declarations of candidacy with the Commission no earlier than one hundred sixty (160) days before the general election, and no later than ninety (90) days before the general election.

The Commission *shall* publish in a newspaper of general circulation the names of all candidates and the offices for which they have declared their candidacy after each filing deadline."

Section 3. § 15201 of Article 2, Chapter 15, Title 3, Guam Code Annotated, is hereby *amended* to read:

"**§ 15201. Primary Date.**

The primary *shall* be conducted at the polling place or places determined by the Election Commission in each district on the first Saturday of August in every even-numbered year."

Section 4. § 15206 of Article 2, Chapter 15, Title 3, Guam Code Annotated, is hereby *amended* to read:

"**§ 15206. Time for Filing Nomination Papers; Fees.**

Nomination papers *shall* be filed with the Commission at least ninety (90) days but not earlier than one hundred thirty (130) days prior to the day for holding the primary. There *shall* be deposited with each nomination a fee of One Hundred Dollars ($100.00) on account of the expenses attending the holding of the primary, which *shall* be paid into the Treasury of Guam. Upon receipt at the office of the Commission of a nomination of a candidate, the day, hour, and minute when it was received *shall* be endorsed thereon."