

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
120-36 (COR) As substituted by the Committee on General Government Operations, Appropriations, and Housing.	James C. Moylan Tina Rose Muña Barnes Joe S. San Agustin Jose "Pedo" Terlaje Mary Camacho Torres	AN ACT TO <i>AMEND</i> § 10107 AND <i>ADD</i> A NEW § 10107.1 TO CHAPTER 10 OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO PERMANENTLY ESTABLISHING EARLY IN-OFFICE ABSENTEE VOTING.	4/13/21 3:48 p.m.	4/15/21	Committee on General Government Operations, Appropriations, and Housing	6/22/21 2:00 p.m.	7/1/21 3:03 p.m. As Substituted by the Committee on General Government Operations, Appropriations, and Housing.	Request: 4/16/21 4/21/21	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	6/25/21	AN ACT TO <i>AMEND</i> § 10107 AND <i>ADD</i> A NEW § 10107.1 TO CHAPTER 10 OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO PERMANENTLY ESTABLISHING EARLY IN-OFFICE ABSENTEE VOTING.	7/8/21	7/8/21	7/20/21	36-41	7/20/21	Received: 7/20/21 Mess and Comm. Doc. No. 36GL-21-0840	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

July 19, 2021

Doc Type: 36GL-21-0840
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

HONORABLE THERESE M. TERLAJE

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

-07- 20 2021

Time: 4:36pm

Received: [Signature]

RE: Substitute Bill No: 120-36 (COR) "AN ACT TO AMEND § 10107 AND ADD A NEW § 10107.1 TO CHAPTER 10 OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO PERMANENTLY ESTABLISHING EARLY IN-OFFICE ABSENTEE VOTING"

Buenas yan Hafa Adai Madame Speaker:

Dear Madame Speaker:

Across many jurisdictions, state legislatures are pushing changes to laws to make voting more difficult for the average voter. I have watched as several states have recently passed laws and rules that have had the practical effect of limiting voting access. How refreshing, then, that our Legislature has seen fit to adopt a path that makes it easier for everyone who is eligible to exercise one of our most fundamental rights. Permanently implementing early in-office voting, which was used by so many of our voters during the most recent election, is a meaningful step in ensuring voting equality. I am proud to sign **Bill 120-36 into law; it is now Public Law No. 36-41.**

Senseremente,

LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

Governor of Guam

COMMITTEE ON RULE

RECEIVED:

July 20, 2021

5:31 P.M.

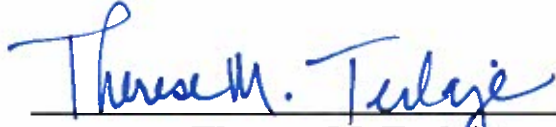
Enclosure(s): Substitute Bill No. 120-36 (COR) *nka* P.L. 36-41

cc: *Honorable* Joshua F. Tenorio, *Sigundo* Maga'låhen Guåhan
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session


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

This is to certify that **Substitute Bill No. 120-36 (COR), "AN ACT TO AMEND § 10107 AND ADD A NEW § 10107.1 TO CHAPTER 10 OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO PERMANENTLY ESTABLISHING EARLY IN-OFFICE ABSENTEE VOTING,"** was on the 8th day of July 2021, duly and regularly passed.



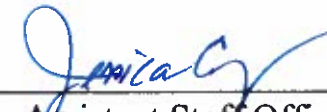
Therese M. Terlaje
Speaker

Attested:



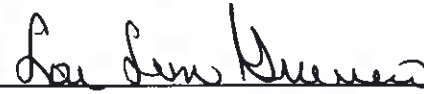
Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 8th day of July,
2021, at 5:15 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office


APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 7/20/2021

Public Law No. 36-41

2021-14076
RCUD AT CENTRAL FILES
JUL 8 '21 PM5:15

Elaine Tajalle

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÁHAN
2021 (FIRST) Regular Session

Bill No. 120-36 (COR)

As substituted by the Committee on General Government Operations,
Appropriations, and Housing.

Introduced by:

James C. Moylan
Tina Rose Muña Barnes
Joe S. San Agustin
Jose “Pedo” Terlaje
Mary Camacho Torres
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Amanda L. Shelton
Telo T. Taitague
Therese M. Terlaje

**AN ACT TO AMEND § 10107 AND ADD A NEW § 10107.1
TO CHAPTER 10 OF TITLE 3, GUAM CODE
ANNOTATED, RELATIVE TO PERMANENTLY
ESTABLISHING EARLY IN-OFFICE ABSENTEE
VOTING.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** § 10107 of Chapter 10, Title 3, Guam Code Annotated, is hereby
3 *amended* to read as follows:

4 **“§ 10107. Early In-Office Absentee Voting.**

1 Notwithstanding the conditions prescribed in § 10101 of this Chapter,
2 the Commission shall deliver a ballot to any qualified voter applying in person
3 at the office of said Commission; provided, however, that such applicant shall
4 complete and subscribe the application and affidavit heretofore prescribed in
5 this Section; provided further, that said application shall be made not more
6 than thirty (30) days nor less than five (5) days before the date of the election
7 for which the vote is being cast. It is provided further, that said ballot shall be
8 immediately marked, enclosed in the ballot envelope, placed in the return
9 envelope with the proper affidavit enclosed, and immediately returned to the
10 Commission.

11 (a) The Early In-Office Absentee Voting application shall
12 contain all of the following:

13 (1) voter's full name, date, and mailing address;

14 (2) one (1) of the following identifiers:

15 (A) the Guam driver's license number or Guam
16 identification card number of the applicant issued by the
17 Department of Revenue and Taxation, Motor Vehicle
18 Division; or

19 (B) the last four (4) digits of the applicant's social
20 security number;

21 (3) a declaration, under penalty of perjury, stating that
22 the voter resides within the district in which he or she is
23 voting, that he or she is a duly qualified elector entitled to
24 vote at the said election; that he or she is not voting in any
25 other jurisdiction; that he or she understands the
26 prohibitions against and the penalty for voting in any

1 election of Guam if he or she votes in another U.S.
2 jurisdiction; and

3 (4) the signature of the voter and date of signing.

4 (b) The Early In-Office Absentee Voting Affidavit Envelope
5 shall contain all of the following:

6 (1) voter's full name, district, date of birth, place of
7 birth, and method by which U.S. citizenship was attained; and

8 (2) a declaration, under penalty of perjury, stating that
9 the information provided relating to his or her qualifications for
10 registration and voting are true; that he or she is a duly qualified
11 elector entitled to vote at said election; that he or she is not voting
12 in any other jurisdiction; that he or she understands the
13 prohibitions against and the penalty for voting in any election of
14 Guam if he or she votes in another U.S. jurisdiction; that he or
15 she understands that voting twice constitutes a crime; and

16 (3) the following witness certification, "Subscribed and
17 sworn to before me this ___ day of _____, 20___, and I
18 hereby certify that the affiant exhibited the enclosed ballot to me
19 unmarked; that the affiant then, in my presence and of no other
20 person, and in such manner that I could not see his or her vote,
21 mark such ballot and enclosed and sealed the same in this
22 envelope; and that the affiant was not solicited or advised by me
23 for or against any candidate or measure," which shall be executed
24 by an election official appointed or designated by the
25 Commission."

26 **Section 2.** A new § 10107.1 is hereby *added* to Chapter 10 of Title 3, Guam
27 Code Annotated, to read as follows:

1 **“§ 10107.1. Homebound Voting.**

2 The Commission shall deliver a ballot to any qualified elector classified
3 under § 10101(b) of this Chapter applying in person or by telephone;
4 provided, however, that such applicant shall complete and subscribe the
5 application heretofore prescribed in § 10103 of this Chapter; provided further,
6 that said application shall be made not more than thirty (30) days before the
7 election for which the vote is being cast. It is provided further, that said ballot
8 shall be immediately marked, enclosed in the ballot envelope, placed in the
9 affidavit envelope, and immediately returned to the Commission.”

10 **Section 3. Severability.** If any provision of this Act or its application to any
11 person or circumstance is found to be invalid or contrary to law, such invalidity shall
12 not affect other provisions or applications of this Act that can be given effect without
13 the invalid provision or application, and to this end the provisions of this Act are
14 severable.

15 **Section 4. Effective Date.** This Act shall be effective upon enactment.