

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
174-36 (LS) As amended by the Committee on General Government, Operations, Appropriations, and Housing; and further amended on the Floor.	James C. Moylan Joe S. San Agustin Mary Camacho Torres Therese M. Terlaje Christopher M. Dueñas	AN ACT TO AMEND §§ 15201 and 15206 OF CHAPTER 15, §§ 3104 AND 3105 OF CHAPTER 3, AND § 6108 OF CHAPTER 6, AND ADD A NEW §3102.1(g) OF CHAPTER 3, ALL OF TITLE 3, GUAM CODE ANNOTATED; AND TO ADD A NEW § 3101.3(h) TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ADDRESSING ELECTION-RELATED TIMELINES ASSOCIATED WITH THE PRIMARY ELECTION, NOMINATION PETITIONS, AND VOTER REGISTRATION.	8/6/21 2:36 p.m.	8/17/21	Committee on General Government Operations, Appropriations, and Housing	10/11/21 10:00 a.m.	11/30/21 12:08 p.m. As Amended by the Committee on General Government, Operations, Appropriations, and Housing.	Request: 8/17/21 8/23/21	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	1/21/22	AN ACT TO AMEND §§ 15201 AND 15206 OF ARTICLE 2, CHAPTER 15 AND § 6108 OF CHAPTER 6, AND ADD A NEW § 3102.1(g) OF CHAPTER 3, ALL OF TITLE 3, GUAM CODE ANNOTATED; AND TO ADD A NEW § 3101.3(h) OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ADDRESSING ELECTION-RELATED TIMELINES ASSOCIATED WITH THE PRIMARY ELECTION, NOMINATION PETITIONS, AND VOTER REGISTRATION.	1/28/22	1/28/22	2/9/22	36-78	2/9/22	Received: 2/10/22 Mess and Comm. Doc. No. 36GL-22-1658	



Bill Nos. 142-36, 174-36, 186-36 and Substitute Bill Nos. 162-36, 229-36 nka P.L. Nos. 36-75 to 36-79 and, VETOED Substitute Bill No. 173-36

june.borja@guam.gov <june.borja@guam.gov>

Wed, Feb 9, 2022 at 4:47 PM

To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>

Cc: "GOVERNOR Lourdes A. Leon Guerrero" <governor@guam.gov>, "LT. GOVERNOR Joshua F. Tenorio" <lt.governor@guam.gov>, gcepeda@guamcourts.gov, guamcompiler@gmail.com, libanez@guamcourts.gov, CHIEF OF STAFF Jon Junior Galvo <jon.galvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, "Stephanie G. Flores" <stephanie.flores@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, lester.carlson@bbmr.guam.gov, BERTHA <bertha.duenas@guam.gov>, "Eliza G. Dames (Chamber)" <eliza.dames@guam.gov>, "Shamra L.A. Chargualaf (Chamber)" <shamra.chargualaf@guam.gov>, "Josephine C. Cepeda (Chamber)" <josephine.cepeda@guam.gov>, "Kathleen C. Cepeda (COS)" <kathleen.cepeda@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, "Jessica Cruz (CF)" <jessica.cruz@guam.gov>, admin@bbmr.guam.gov, analyn.eustaquio@bbmr.guam.gov, "Michael D. Weakley" <michael.weakley@guam.gov>, rikki.orsini@guam.gov

Hafa Adai Madame Speaker.

Please find a copy of the attached letters dated February 9, 2022 from the **Honorable Lourdes A. Leon Guerrero, I Maga'hågan Guåhan** regarding the following Bills and Substitute Bills. The original transmittals will be delivered to your office later today.

- **SUBSTITUTE BILL NO. 162-36 (COR) nka P.L. 36-75** – An Act to *Amend* § 49107(f) of Chapter 49, § 50119 of Chapter 50, and § 51204(a) of Chapter 51, All of Title 10, Guam Code Annotated; and to *Amend* §§ 10109(g)(2) and (g)(3) of Chapter 10, Title 22, Guam Administrative Rules and Regulations, Relative to Authorizing the Continuous Appropriation of Funds for Program Funds Maintained by the Guam Environmental Protection Agency;
- **SUBSTITUTE BILL NO. 229-36 (LS) nka P.L. 36-76** – An Act to *Amend* § 75A109(c) of Chapter 75A, Title 21, Guam Code Annotated, and Section 4 of Public Law 35-112; and to *Add* a New Chapter 6A of Title 18, Guam Administrative Rules and Regulations, Relative to Complying with Legislative and Administrative Changes Required Under the Settlement Agreement made by and between the United States of America and Government of Guam, Chamorro Land Trust Commission & Administrative Director of the Chamorro Land Trust Commission, in United States vs. Government of Guam, et al. (D.Guam), Civil No. 17-CV-001113, as Transmitted to *I Liheslaturan Guahan* by the Chamorro Land Trust Commission;
- **BILL NO. 185-36 (COR) nka P.L. 36-77** – An Act to Transfer Lot No. 10122-14NEW-R1 in the Municipality of Dededo, Formerly Known as the Dededo Solid Waste Transfer Station, to the Guam Environmental Protection Agency for the Purpose of Developing and Constructing its Headquarters;
- **BILL NO. 174-36 (LS) nka P.L. 36-78** – An Act to *Amend* §§ 15201 and 15206 of Article 2, Chapter 15 and § 6108 of Chapter 6, and Add a New § 3102.1(g) of Chapter 3, All of Title 3, Guam Code Annotated; and to *Add* a New § 3101.3(h) of Article 1, Chapter 3, Title 16, Guam Code Annotated, Relative to Addressing Election-Related Timelines Associated with the Primary Election, Nomination Petition, and Voter Registration;
- **BILL NO. 142-36 (LS) nka P.L. 36-79** – An Act to *Amend* § 25.30 of Chapter 25, Title 9, Guam Code Annotated, Relative to Adding More Protection for Minor Victims Under the Offense of Fourth Degree Criminal Sexual Conduct and Ensuring that the Offense of Fourth Degree Criminal Sexual Conduct Against a Minor Cannot be Reduced from a Felony of the Third Degree to a Misdemeanor; and

- **VETOED SUBSTITUTE BILL NO. 173-36 (LS)** – An Act to *Amend* § 9112 of Chapter 9, § 117 of Chapter 1, § 14105 of Chapter 14, and § 13103 of Chapter 13; and to *Add* a New § 15110 to Article 1 of Chapter 15, and to a New § 1124 to Chapter 1, All of Title 3, Guam Code Annotated, Relative to Addressing and Modernizing Election-Related Issues, to Include the Counting of Provisional Ballots, Electioneering at Polling Places, the Cancellation of the Primary Election in Certain Circumstances, and Vacancies.

36GL-22-1655 / 36GL-22-1656 /
36GL-22-1657 / 36GL-22-1658 /
36GL-22-1659 / 36GL-22-1660

Thank you.

**OFFICE OF THE SPEAKER
THERESE M. TERLAJE**

Respectfully,

June M.C. Borja
Administrative Services Officer
OFFICE OF THE GOVERNOR OF GUAM
Office of Legal Counsel
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
Office No.: (671) 473-1118
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-02-09-2022







4:47 pm

Time:

Received: 

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6 attachments

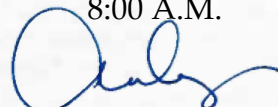
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-  **22.0209 GOV to SPEAKER re Substitute Bill No. 229-36 (LS) nka P.L. 36-76.pdf**
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-  **22.0209 GOV to SPEAKER re Bill No. 185-36 (COR) nka P.L. 36-77.pdf**
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COMMITTEE ON RULES

RECEIVED:

February 10, 2022

8:00 A.M.



LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

February 9, 2022

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

Re: BILL NO. 174-36 (LS) – An Act to *Amend* §§ 15201 and 15206 of Article 2, Chapter 15 and § 6108 of Chapter 6, and Add a New § 3102.1(g) of Chapter 3, All of Title 3, Guam Code Annotated; and to *Add* a New § 3101.3(h) of Article 1, Chapter 3, Title 16, Guam Code Annotated, Relative to Addressing Election-Related Timelines Associated with the Primary Election, Nomination Petition, and Voter Registration

Hafa Adai Madame Speaker,

Elections are the cornerstone of our democracy, by which voters are empowered to select their leaders in governments to respond to the will of the people. This is best achieved when electoral processes support inclusive participation through legislation that addresses logistical challenges, and sheds light on areas requiring improvement, with the help of stakeholders, agency reports, and publications.

In June 2019, the Guam Election Commission (GEC) published its 2018 Election Comparative Analysis Report. The report provided legislative recommendations that would help streamline our electoral processes, including timeline changes to increase GEC's efficacy. These changes would, among other things, provide GEC additional and ample time to process nomination papers and voter registrations. In the interest of improving our electoral processes, Bill No. 174-36 adopts certain timeline recommendations provided in the report, and amends the primary election dates. With these changes in place, our electoral processes will better serve our community and democratic institutions. Bill No. 174-36 is now known as *Public Law No. 36-78*.

Senseremente,

A handwritten signature in blue ink, appearing to read "Lourdes A. Leon Guerrero".


LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure: Bill No. 174-36 (LS) *nka* P.L. No. 36-78
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

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

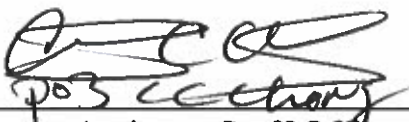
This is to certify that **Bill No. 174-36 (LS)**, “**AN ACT TO *AMEND* §§ 15201 AND 15206 OF ARTICLE 2, CHAPTER 15 AND § 6108 OF CHAPTER 6, AND ADD A NEW § 3102.1(g) OF CHAPTER 3, ALL OF TITLE 3, GUAM CODE ANNOTATED; AND TO *ADD* A NEW § 3101.3(h) OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ADDRESSING ELECTION-RELATED TIMELINES ASSOCIATED WITH THE PRIMARY ELECTION, NOMINATION PETITIONS, AND VOTER REGISTRATION,**” was on the 28th day of January 2022, duly and regularly passed.


Therese M. Terlaje
Speaker

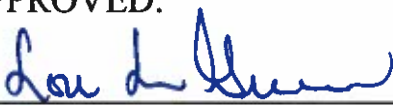
Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 28TH day of January
2022, at 7:38 o'clock P..M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 02/09/2022

Public Law No. 36-78

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

Bill No. 174-36 (LS)

As amended by the Committee on General Government
Operations, Appropriations, and Housing;
and further amended on the Floor.

Introduced by:

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

AN ACT TO *AMEND* §§ 15201 AND 15206 OF ARTICLE 2, CHAPTER 15 AND § 6108 OF CHAPTER 6, AND *ADD* A NEW § 3102.1(g) OF CHAPTER 3, ALL OF TITLE 3, GUAM CODE ANNOTATED; AND TO *ADD* A NEW § 3101.3(h) OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ADDRESSING ELECTION-RELATED TIMELINES ASSOCIATED WITH THE PRIMARY ELECTION, NOMINATION PETITIONS, AND VOTER REGISTRATION.

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

2 **Section 1.** § 15201 of Article 2, Chapter 15, Title 3, Guam Code Annotated,
3 is hereby *amended* to read as follows:

1 **“§ 15201. Primary Date.**

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

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

7 **“§ 15206. Time for Filing Nomination Papers; Fees.**

8 Nomination papers shall be filed with the Commission at least ninety
9 (90) days but not earlier than one hundred sixty (160) days prior to the day for
10 holding the primary. There shall be deposited with each nomination a fee of
11 One Hundred Dollars (\$100.00) on account of the expenses attending the
12 holding of the primary, which shall be paid into the Treasury of Guam. Upon
13 receipt at the office of the Commission of a nomination of a candidate, the
14 day, hour and minute when it was received shall be endorsed thereon.”

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

17 **“§ 6108. Filing of Nominating Petitions.**

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

26 Notwithstanding any other provision of law, candidates for the Guam
27 Education Board and the Consolidated Commission on Utilities shall file their

1 declarations of candidacy with the Commission no earlier than one hundred
2 sixty (160) days before the general election, and no later than ninety (90) days
3 before the general election.

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

7 **Section 4.** A new § 3102.1(g) is hereby *added* to Chapter 3 of Title 3, Guam
8 Code Annotated, to read as follows:

9 “(g) An applicant may be registered electronically in accordance with
10 this Section from the time the registration is open until twenty-one (21) days
11 prior to an election.”

12 **Section 5.** A new § 3101.3(h) is hereby *added* to Article 1 of Chapter 3,
13 Title 16, Guam Code Annotated, to read as follows:

14 “(h) An applicant may be registered in accordance with this Section
15 from the time registration is open until twenty-one (21) days prior to an
16 election.”

17 **Section 6. Severability.** If any provision of this Act or its application to any
18 person or circumstance is found to be invalid or contrary to law, such invalidity shall
19 not affect other provisions or applications of this Act that can be given effect without
20 the invalid provision or application, and to this end the provisions of this Act are
21 severable.

22 **Section 7. Effective Date.** This Act shall be effective on January 1, 2023.