

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
216-37 (COR)	Roy A. B. Quinata Joe S. San Agustin	AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.	12/15/23 9:55 a.m.	12/18/23	Committee on General Government Operations and Appropriations	Request: 12/18/23 Waiver: 12/27/23	2/9/24 9:00 a.m.	2/16/24 10:51 a.m.	



SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

February 15, 2024

The Honorable Therese M. Terlaje

Speaker

I Mina'trentai Siette na Liheslaturan Guåhan

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: The Honorable Chris Barnett

Chairperson, Committee on Rules

DUS

RE: Committee Report on Bill No. 216-37 (COR)

Buenas yan Håfa adai Speaker Terlaje

Transmitted herewith is the Committee Report on **Bill No. 216-37 (COR)** Introduced by Roy A. B. Quinata / Joe S. San Agustin - "AN ACT TO *AMEND* § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES."

Committee votes are as follows:

<u>5</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE



COMMITTEE ON RULES

Received:

February 15, 2024 9:07 a.m.

Kamarin Nelson

Sincerely,

Joe S. San Agustin

Chairperson, Committee on General Government
Operations and Appropriations



SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

COMMITTEE REPORT

Bill No. 216-37 (COR)

Sponsor(s) - Roy A. B. Quinata / Joe S. San Agustin

AN ACT TO *AMEND* § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.



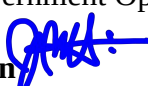
SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

February 13, 2024

MEMORANDUM

To: All Members
Committee on General Government Operations and Appropriations

From: Senator Joe S. San Agustin 
Chairperson, Committee on General Government Operations and Appropriations

Subject: Committee Report on Bill No. 216-37 (COR)

Transmitted herewith for your consideration is the Committee Report on **Bill No. 216-37 (COR)** – Introduced by Roy A. B. Quinata / Joe S. San Agustin. “AN ACT TO *AMEND* § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.”

This report includes the following:

- Copy of COR Referral of Bill No. 216-37 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Written Testimony
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 216-37 (COR), As Introduced
- Copy of Bill No. 216-37 (COR), Fiscal Note
- Copy of Bill No. 216-37 (COR), Funding Availability

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse!



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson

I Mina'trentai Siette Na Liheslaturan Guåhan

37th Guam Legislature

December 18, 2023

To: **Joaquin P. Taitague**
Substitute Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Senator Chris Barnett** 
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 216-37 (COR)**

Håfa Adai yan Biba Guåhan!

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 216-37 (COR)** – Roy A. B. Quinata, Joe S. San Agustin. – “AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.”

Please ensure that the subject bill is referred to the Committee on General Government Operations and Appropriations chaired by Senator Joe S. San Agustin. I also request that the same be forwarded to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website <https://guamlegislature.com/index/bills/>

Should you have any questions or concerns, please feel free to contact Kamarin J. A. Nelson, Committee on Rules Director at 671-472-2461.





SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

January 29, 2024

To: All Honorable Senators, Stakeholders, and Media

From: Senator Joe S. San Agustin, Chairman

Subject: First Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

Buenas yan Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations & Appropriations will convene a public hearing on **Friday, February 9, 2024 @ 9:00 a.m.** in ***I Liheslaturan Guåhan's Public Hearing Room*** (Guam Congress Building, Hagåtña).

The Committee will hear and accept testimony on the following:

9:00 a.m.

Bill No. 214-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 11115 CHAPTER 11, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO TABULATED AND PUBLISHED WRITE-IN VOTES.

Bill No. 215-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 1903(e) TO CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO AMEND § 30101 CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF PUBLIC AUDITOR AND ATTORNEY GENERAL IN GUAM.

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Bill No. 233-37 (LS) Sponsor(s) - Roy A. B. Quinata
AN ACT TO AMEND § 17116 AND REPEAL § 17118 CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CHANGING PRELIMINARY REPORTS TO QUARTERLY REPORTS AND ELIMINATING FINAL AND SUPPLEMENTARY REPORTS.

Individuals who wish to participate are asked to contact the Office of Senator Joe S. San Agustin at 671-989-5445 or via email at senatorjoessanagustin@gmail.com

The Public Hearing will broadcast on GTA TV Channel 21, Docomo Channel 117, and livestream on the Guam Legislature YouTube:
<https://www.youtube.com/c/GuamLegislatureMedia>.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Joe S. San Agustin at senatorjoessanagustin@gmail.com.

We look forward to your participation!



Aria Palaganas <aria.senatorsa@gmail.com>

First Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

1 message

Rose Mesa <rose.senatorsa@gmail.com>

Mon, Jan 29, 2024 at 9:21 AM

To: Christine DelaCruz <cdelacruz@pbsguam.org>

Cc: Aria Palaganas <aria.senatorsa@gmail.com>, Hope DelosReyes <hope.senatorsa@gmail.com>

January 29, 2024

To: All Honorable Senators, Stakeholders, and Media**From: Senator Joe S. San Agustin, Chairman****Subject: First Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.***Buenas yan Håfa Adai!*

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We look forward to your participation!

Un Dangkolo Na Si Yu'os Ma'åse'

Very Respectfully,

RoseMarie T. Mesa
Office Manager
I Mina'Trentai Siette Na Liheslaturan Guåhan
(Thirty-Seventh Guam Legislature)
Senator Joe S. San Agustin
Committee on General Government Operations & Appropriations
Office: 671-989-5445
Email: rose.senatorsa@gmail.com



First Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

 PRINT

**First Notice of Public Hearing on Friday,
February 9, 2024 @ 9:00 a.m.**

PUBLIC HEARING



 **Posted on:** 01/29/2024 09:23 AM

 **Posted by:** RoseMarie Mesa

 **Public Hearing Date:** 02/09/2024 09:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR JOE S. SAN AGUSTIN (/notices?division_id=275)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

January 29, 2024

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From: Senator Joe S. San Agustin, Chairman

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CODE ANNOTATED, RELATIVE TO PROVISIONAL SALES.

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**ANNOTATED, RELATIVE TO EXTENDING THE TERM OF
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Bill No. 219-37 (COR)

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SUPPLEMENTARY REPORTS.

Individuals who wish to participate are asked to contact the Office of Senator Joe S.
San Agustin at 671-989-5445 or via email at senatorjoessanagustin@gmail.com

The Public Hearing will broadcast on GTA TV Channel 21 Docomo Channel 117

and livestream on the Guam Legislature YouTube:

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We look forward to your participation!



SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUAHAN



January 29, 2024

To: All Honorable Senators, Stakeholders, and Media

From: Senator Joe S. San Agustin, Chairman

Subject: First Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

Buenas yam Hafa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations & Appropriations will convene a public hearing on **Friday, February 9, 2024 @ 9:00 a.m.** in **I Liheslaturan Guåhan's Public Hearing Room** (Guam Congress Building, Hagåtña).

The Committee will hear and accept testimony on the following:

9:00 a.m.

Bill No. 214-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
**AN ACT TO AMEND § 11115 CHAPTER 11, TITLE 3, GUAM CODE
ANNOTATED, RELATIVE TO TABULATED AND PUBLISHED WRITE-IN
VOTES**

Bill No. 215-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 1903(e) TO CHAPTER 19, TITLE 1, GUAM CODE
ANNOTATED; AND TO AMEND § 30101 CHAPTER 30, TITLE 5, GUAM
CODE ANNOTATED, RELATIVE TO THE ELECTION AND
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AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE,
RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT
POLLING PLACES.

SUITE 3, 2ND FLOOR, RAN CARE BLDG. CBU# 230 761 S. MARINE CORPS DR., TAMUNING, GUAM 96913
TEL: 671-989-5445 FAX: 671-969-6737 EMAIL: SENATORJOESSANAGUSTIN@GMAIL.COM



SENATOR JOE S. SAN AGUSTIN
Chairman, Committee of General
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☎ (671) 989-5445 or ✉ senatorjoessanagustin@gmail.com

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SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

February 7, 2024

To: All Honorable Senators, Stakeholders, and Media

From: Senator Joe S. San Agustin, Chairman

Subject: Second Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

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We look forward to your participation!



Aria Palaganas <aria.sensorsa@gmail.com>

Second Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

1 message

Rose Mesa <rose.sensorsa@gmail.com>

Wed, Feb 7, 2024 at 8:20 AM

To: phnotice@guamlegislature.org, Haidee Gilbert <[REDACTED]>, Selma <sblas@gpagwa.com>, Robert Klitzkie <[REDACTED]>, "Dr. Tom Krise" <tkrise@triton.uog.edu>, J Benavente <jbenavente@gpagwa.com>, Patty Arroyo <newstalk@k57.com>, KANDIT News <news@kanditnews.com>

Cc: Management Information System <mis@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>, Joe San Agustin <protocol@guamlegislature.org>, 37th Committee On Rules <committeeonrules@guamlegislature.org>

February 7, 2024

To: All Honorable Senators, Stakeholders, and Media**From: Senator Joe S. San Agustin, Chairman****Subject: Second Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.***Buenas yan Håfa Adai!*

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We look forward to your participation!

Un Dangkolo Na Si Yu'os Ma'åse'

Very Respectfully,

*RoseMarie T. Mesa
Office Manager
I Mina'Trentai Siette Na Liheslaturan Guåhan
(Thirty-Seventh Guam Legislature)
Senator Joe S. San Agustin
Committee on General Government Operations & Appropriations
Office: 671-989-5445
Email: rose.senatorsa@gmail.com*

To unsubscribe from this group and stop receiving emails from it, send an email to phnotice+unsubscribe@guamlegislature.org.



2nd Notice Bill 214,215,216,217,218,219,233 2.9.2024 .pdf
138K

Second Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

 PRINT

**Second Notice of Public Hearing on Friday,
February 9, 2024 @ 9:00 a.m.**

PUBLIC HEARING



 **Posted on:** 02/07/2024 09:38 AM

 **Posted by:** RoseMarie Mesa

 **Public Hearing Date:** 02/09/2024 02:00 PM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR JOE S. SAN AGUSTIN (/notices?division_id=275)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

February 7, 2024

To: All Honorable Senators, Stakeholders, and Media

From: Senator Joe S. San Agustin, Chairman

**Subject: Second Notice of Public Hearing on Friday,
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Subject: Second Notice of Public Hearing on Friday,

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Sponsor(s) - Roy A. B. Quinata

**AN ACT TO AMEND § 17116 AND REPEAL § 17118 CHAPTER 17,
TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CHANGING
PRELIMINARY REPORTS TO QUARTERLY REPORTS AND
ELIMINATING FINAL AND SUPPLEMENTARY REPORTS.**

Individuals who wish to participate are asked to contact the
Office of Senator Joe S. San Agustin at 671-989-5445 or via email
at senatorjoessanagustin@gmail.com

(<mailto:senatorjoessanagustin@gmail.com>).

The Public Hearing will broadcast on GTA TV Channel 21,
Docomo Channel 117, and livestream on the Guam Legislature
YouTube: <https://www.youtube.com/c/GuamLegislatureMedia>
(<https://www.youtube.com/c/GuamLegislatureMedia>).

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individuals requiring special accommodations or services should
contact the Office of Senator Joe S. San Agustin

at senatorjoessanagustin@gmail.com

(<mailto:senatorjoessanagustin@gmail.com>).

We look forward to your participation!

Bill No. 217-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 14105 OF CHAPTER 14, TITLE 3, GUAM CODE
ANNOTATED, RELATIVE TO PROVISIONAL BALLOTS.

Bill No. 218-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin

AN ACT TO AMEND §§ 3104, 3105, 3110; AND ADD A NEW § 3102.1(g)
CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED; AND TO ADD A NEW
§ 3101.3(g) CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED,
RELATIVE TO EXTENDING THE TERM OF APPOINTMENT OF A
REGISTRATION CLERK AND THE TIMES OF REGISTRATION.

Bill No. 219-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 1117; AND TO ADD A NEW § 1123 CHAPTER 1,
TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CHANGING A
PRECINCT TO A DISTRICT AND DEFINING THE NAME OF A
CANDIDATE OR NOMINEE.

Bill No. 233-37 (LS) Sponsor(s) - Roy A. B. Quinata
AN ACT TO AMEND § 17116 AND REPEAL § 17118 CHAPTER 17, TITLE 3,
GUAM CODE ANNOTATED, RELATIVE TO CHANGING PRELIMINARY
REPORTS TO QUARTERLY REPORTS AND ELIMINATING FINAL AND
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We look forward to your participation!



SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUAHAN



February 7, 2024

To: All Honorable Senators, Stakeholders, and Media

From: Senator Joe S. San Agustin, Chairman

Subject: Second Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

Buenas yam Hafa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations & Appropriations will convene a public hearing on **Friday, February 9, 2024 @ 9:00 a.m.** in **I Liheslaturan Guåhan's Public Hearing Room** (Guam Congress Building, Hagåtña).

The Committee will hear and accept testimony on the following:

9:00 a.m.

Bill No. 214-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
**AN ACT TO AMEND § 11115 CHAPTER 11, TITLE 3, GUAM CODE
ANNOTATED, RELATIVE TO TABULATED AND PUBLISHED WRITE-IN
VOTES**

Bill No. 215-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 1903(e) TO CHAPTER 19, TITLE 1, GUAM CODE
ANNOTATED; AND TO AMEND § 30101 CHAPTER 30, TITLE 5, GUAM
CODE ANNOTATED, RELATIVE TO THE ELECTION AND
QUALIFICATION PROCESSES FOR THE OFFICES OF PUBLIC AUDITOR
AND ATTORNEY GENERAL IN GUAM.

Bill No. 216-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE,
RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT
POLLING PLACES.

SUITE 3, 2ND FLOOR, RAN CARE BLDG. CBU# 230 761 S. MARINE CORPS DR., TAMUNING, GUAM 96913
TEL: 671-989-5445 FAX: 671-969-6737 EMAIL: SENATORJOESSANAGUSTIN@GMAIL.COM



SENATOR JOE S. SAN AGUSTIN
Chairman, Committee of General
Government Operations & Appropriations
I Mina'trentai Siette na Liheslaturan Guåhan

Second Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

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Bill No. 214-37 (COR) - Sponsor(s) - Roy A.B. Quinata / Joe S. San Agustin

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Individuals who wish to participate are asked to contact the Office of Senator Joe S. San Agustin

☎ (671) 989-5445 or ✉ senatorjoessanagustin@gmail.com

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We look forward to your participation!



SENATOR JOE S. SAN AGUSTIN
Chairman, Committee of General
Government Operations & Appropriations
I Mina'trentai Siette na Liheslaturan Guåhan

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AN ACT TO AMEND §§ 3104, 3105, 3110; AND ADD A NEW § 3102.1(g) CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED; AND TO ADD A NEW § 3101.3(g) CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO EXTENDING THE TERM OF APPOINTMENT OF A REGISTRATION CLERK AND THE TIMES OF REGISTRATION.

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SENATOR JOE S. SAN AGUSTIN
Chairman, Committee of General
Government Operations & Appropriations
I Mina'trentai Siette na Liheslaturan Guåhan

Second Notice of Public Hearing on Friday, February 9, 2024 @ 9:00 a.m.

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9:00am

Bill No. 233-37 (LS) - Sponsor(s) - Roy A.B. Quinata

AN ACT TO AMEND § 17116 AND REPEAL § 17118 CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED,
RELATIVE TO CHANGING PRELIMINARY REPORTS TO QUARTERLY REPORTS AND ELIMINATING
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We look forward to your participation!



SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

PUBLIC HEARNG

Friday, February 9, 2024

Guam Congress Building Public Hearing Room

AGENDA

9:00 a.m.

Bill No. 214-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 11115 CHAPTER 11, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO TABULATED AND PUBLISHED WRITE-IN VOTES.

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Bill No. 216-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.

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SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

Public Hearing Sign-in Sheet February 9, 2024 • 9:00 a.m. • Guam Congress Building

Bill No. 216-37 (COR) Sponsor(s) - Roy A. B. Quinata Joe S. San Agustin
AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Christiana Ramirez	GEC	—	—	—		
Tom San Agustin	GEC		✓	✓		



GUAM ELECTION COMMISSION

Kumision Ileksion Guåhan

Your VOTE is your voice. ✓ BOTA ya un ma kuenta.



February 9, 2024

Honorable Joe S. San Agustin
Committee on General Government Operations, and
Appropriations
I Mina'trentai Siette Na Liheslaturan Guåhan
761 S. Marine Corps Drive
Ran Care Building, CBU 203
Tamuning, Guam 96931

Hafa Adai Mr. Chaiman,

Si Yu'os ma'åse' for the opportunity to provide testimony on Bills relative to the electoral process. The Guam Election Commission (GEC) is here today to discuss the following bills which were submitted as legislative recommendations pursuant 3 GCA § 2103 (d) (1).

Bill No. 214-37

Bill 214-37 seeks to change the reporting requirements for write-in votes. Prior to the use of our current tabulation machines, the recording of write-in candidates was done after the Primary and General elections, and required the re-opening of ballot boxes as well as several teams working throughout the normal business day for approximately one week. Today, despite the GEC's tabulation equipment having ballot scanning capabilities that allow the GEC to capture write-in votes to meet the requirements of 3 GCA § 11115, the process still requires a manual review of write-in votes. As written, the bill would require the GEC to tabulate and publish the names of write-in votes *only if* the total number of write-in votes counted for an office could change the result as to the person having the largest number of votes for that office.

Bill No. 215-37

Bill 215-37 seeks to cancel the Primary Election for both the office of Public Auditor and the Attorney General of Guam. Currently, both offices are required to be placed on a separate ballot from the partisan offices in the Primary Election. If enacted, the GEC would no longer have to procure, print, code and secure a second ballot for the Primary Election. Additionally, the elimination of the non-partisan ballot for the Primary Election may bring about quicker election results reduce the cost of labor needed for tabulation. The GEC notes that 3 GCA § 6108 references a Primary Election deadline requirement for both the Public Auditor and Attorney General and respectfully requests this section be included in the Body's consideration of Bill 215-37.

Bill No. 216-37

Bill 216-37 allows for Guam Police Department intervention should electioneering occur at the polls and provides for further collaboration with GPD as the GEC seeks to establish safer electioneering parameters for polling sites throughout the island.

Bill No. 217-37

The Commission is currently mandated to *tabulate* provisional ballots within ten (10) days after an election. It is also mandated to allow for ten (10) days after an election to *receive* absentee ballots. Bill 217-37 seeks to change the deadline for tabulating provisional ballots, which would allow the GEC to synchronize its time table for tabulating both absentee and provisional ballots. Additionally, Bill No. 217-37 would require that provisional ballot envelopes be completed and meet the same standards required for voter registration in order to remedy incomplete or deficient registration applications or to register an individual who is unregistered.

Bill No. 218-37

The GEC has established multiple avenues of voter registration to include Online Registration, Motor Voter, Volunteer Voter Registrars, and District Registration, all to promote ease of access to the electorate. Today, there are currently over 55,900 registered voters and we are expected to reach 60,000 by the 2024 General Election. Bill 218-37 seeks to change the close of registration from ten (10) days to twenty-one (21) days prior to an election, which would consistently apply the close of registration to all avenues. Further, this additional time will help to ensure and protect the accuracy of the voter registry.

Bill No. 219-37

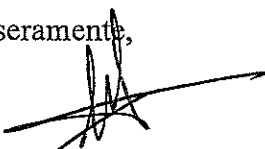
Bill 219-37 seeks to establish clarity and consistency with the election code and standard practices of the Commission by defining “District” as one of the nineteen municipalities on the island as well as defining the word “Name” to mean name that appears on his/her United States Birth Certificate, United States Passport, Certificate of Naturalization, Court Ordered Name Change, Certificate of Marriage, or any identification meeting the REAL ID Act.

Bill No. 233-37

Currently the review of campaign finance reports does not take place until the end of an election cycle, due to mandates leading up to the Primary and General Elections. Bill 233-37 seeks to change the campaign reporting requirements to quarterly reporting. This will enable the GEC to better advise candidates and committees on proper reporting requirements and ensure that campaign finances are reviewed in a timely manner.

Si Yu’os ma’åse’ we are here to address questions as it pertains to the conduct of elections

Sinseramente,



THOMAS H. SAN AGUSTIN
Acting Executive Director

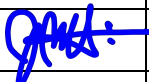


SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

Committee Vote Sheet

Bill No. 216-37 (COR) – As Introduced by the Committee on General Government Operations and Appropriations. Introduced by Roy A. B. Quinata / Joe S. San Agustin. AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Joe S. San Agustin <i>Chairman</i>		✓				
Senator Telo T. Taitague <i>Vice Chairperson</i>	E-Vote 02.13.24			✓		
Vice Speaker Tina Rose Muna Barnes <i>Member</i>						
Senator William M. Parkinson <i>Member</i>	E-Vote 02.15.24			✓		
Senator Roy A.B. Quinata <i>Member</i>	E-Vote 02.13.24	✓				
Senator Dwayne T.D. San Nicolas <i>Member.</i>	E-Vote 02.14.24	✓				
Senator Amanda L. Shelton <i>Member</i>	E-Vote 02.15.24	✓				
Senator Joanne M. Brown <i>Member</i>	E-Vote 02.14.24	✓				



Danielle Lubas <danielle.senatorsa@gmail.com>

Request for E-Vote: Committee Report on Bill No. 216-37 (COR) As Introduced

8 messages

Aria Palaganas <aria.senatorsa@gmail.com>

Tue, Feb 13, 2024 at 4:40 PM

To: Senator Telo Taitague <senatortelot@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>
Cc: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Michael Merfalen <mmerfalen.senatorsa@gmail.com>, Danielle Lubas <danielle.senatorsa@gmail.com>

Hafa Adai Committee Members,

Please see attached google drive link for the Committee Report of Bill No. 216-37 (COR) As Introduced. Introduced by Roy A. B. Quinata Joe S. San Agustin. "AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.."

Committee Report for Bill No. 216-37 (COR) As Introduced

Please submit your preferred action from the following:

- ☐ TO DO PASS
- ☐ TO DO NOT PASS
- ☐ TO REPORT OUT ONLY
- ☐ TO ABSTAIN;
- ☐ TO PLACE IN INACTIVE FILE.

Please submit your response **As Soon As Possible**, which will be placed into the Committee Vote Sheet and filed with the Committee on Rules.

Best Regards,
Aria C. Palaganas
Research Policy Analyst
I Mina'trentai Siette na Liheslaturan Guåhan
(Thirty-Seventh Guam Legislature)
The Office of Senator Joe S. San Agustin
Committee on General Government Operations & Appropriations
Office: 671-989-5445
Email: aria.senatorsa@gmail.com

Senator Telo Taitague <senatortelot@gmail.com>

Tue, Feb 13, 2024 at 4:43 PM

To: Aria Palaganas <aria.senatorsa@gmail.com>

Cc: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Michael Merfalen <mmerfalen.senatorsa@gmail.com>, Danielle Lubas <danielle.senatorsa@gmail.com>

To report out only

Sent from my iPhone

On Feb 13, 2024, at 4:41 PM, Aria Palaganas <aria.senatorsa@gmail.com> wrote:

[Quoted text hidden]

Senator Telo Taitague <senatortelot@gmail.com>

Tue, Feb 13, 2024 at 4:44 PM

To: Aria Palaganas <aria.senatorsa@gmail.com>

Cc: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Michael Merfalen <mmerfalen.senatorsa@gmail.com>, Danielle Lubas <danielle.senatorsa@gmail.com>

To report out only

Sent from my iPhone

On Feb 13, 2024, at 4:41 PM, Aria Palaganas <aria.senatorsa@gmail.com> wrote:

[Quoted text hidden]

Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>

Tue, Feb 13, 2024 at 4:49 PM

To: Senator Telo Taitague <senatortelot@gmail.com>

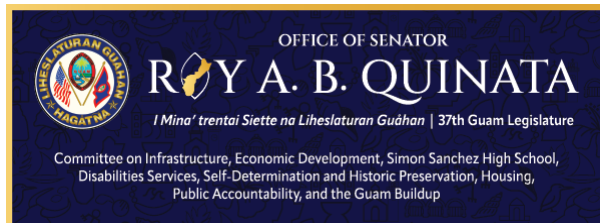
Cc: Aria Palaganas <aria.senatorsa@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Michael Merfalen <mmerfalen.senatorsa@gmail.com>, Danielle Lubas <danielle.senatorsa@gmail.com>

To do pass.

[Quoted text hidden]

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Si Yu'os Ma'åse',



 (671)472-4826 (GUAM)



Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiâtmente para hâgu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâtcha. Yanggen lachi rinisibu-mu nu este na mensâhi, put fabot ago' guatu gi l numa'huyong gi as officeofsenatorquinata@guamlegislature.org yan despues destrosa todû siha l kopian mensâhi. Si Yu'os ma'âse'.

This e-mail message is intended only for the use of the individual or entity named above and may contain confidential and privileged information. If you are not the intended recipient, any disclosure, copying, distribution, or use of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by replying to officeofsenatorquinata@guamlegislature.org and delete the message immediately. Thank you very much.

Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>

Wed, Feb 14, 2024 at 1:21 PM

To: Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>

Cc: Senator Telo Taitague <senatortelot@gmail.com>, Aria Palaganas <aria.senatorsa@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Michael Merfalen <mmerfalen.senatorsa@gmail.com>, Danielle Lubas <danielle.senatorsa@gmail.com>

Hafa Adai,

To Do Pass.



Office of Senator Dwayne T.D. San Nicolas
*Committee on Emergency Response, Military and
Veteran Affairs, Border Safety and Mayors
Council*

I Mina'trentai Siette Na Liheslaturan Guahan | 37th
Guam Legislature

Telephone: 671-989-4400

Email: senatorsannicolas@guamlegislature.org

Website: senatorsannicolas.com

Address: DNA Building STE 407/408

[238 Archbishop Flores St. Hagatna, Guam 96910](#)

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[Quoted text hidden]

Office of Senator Joanne M. Brown <office@senatorjoannebrown.com>

Wed, Feb 14, 2024 at 6:24 PM

To: Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>

Cc: Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Aria Palaganas <aria.senatorsa@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Michael Merfalen <mmerfalen.senatorsa@gmail.com>, Danielle Lubas <danielle.senatorsa@gmail.com>

To Do Pass.
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Senator Will Parkinson <senatorparkinson@guamlegislature.org>

Thu, Feb 15, 2024 at 12:00 PM

To: "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>

Cc: Senator Dwayne San Nicolas <sensorsannicolas@guamlegislature.org>, Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Aria Palaganas <aria.sensorsa@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.sensorsa@gmail.com>, Michael Merfalen <mmerfalen.sensorsa@gmail.com>, Danielle Lubas <danielle.sensorsa@gmail.com>

To report out only.

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Respectfully,



Office of Senator William A. Parkinson | 37th Guam Legislature

Chairperson, Committee on Fire, Agriculture, Power and Energy Utilities, Public Transit, Unemployment Insurance, and Universal Health Insurance

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Suite 905, DNA Building, 238 Archbishop FC Flores St, Hagåtña, 96910, Guam
671-989-1101
senatorparkinson@guamlegislature.org

Office of Senator Amanda L. Shelton <officeofsenatorshelton@guamlegislature.org>

Thu, Feb 15, 2024 at 12:36 PM

To: Aria Palaganas <aria.sensorsa@gmail.com>

Cc: Senator Telo Taitague <senatortelot@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Dwayne San Nicolas <sensorsannicolas@guamlegislature.org>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.sensorsa@gmail.com>, Michael Merfalen <mmerfalen.sensorsa@gmail.com>, Danielle Lubas <danielle.sensorsa@gmail.com>

To Do Pass.

Si Yu'os Ma'åse'.



Office of the People • Senator Amanda L. Shelton

Majority Leader, Legislative Secretary, & Chairwoman, Committee on Maritime Transportation, Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth, and Senior Citizens

37th Guam Legislature

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SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

COMMITTEE REPORT DIGEST

Bill No. 216-37 (COR) - Roy Anthony Benavente Quinata / Joe S. San Agustin. "AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES."

I. OVERVIEW

Bill No. 216-37 (COR) was introduced on December 15, 2023 by Roy A.B. Quinata and Joe S. San Agustin. The Bill was referred by the Committee on Rules to the Committee on General Government Operations and Appropriations on December 18, 2023.

The Committee on General Government Operations and Appropriations convened a public hearing on Bill No. 216-37 (COR) on Friday, February 9, 2024 in *I Liheslatura's* Public Hearing Room (Guam Congress Building). The Public Hearing began at 9:02 a.m. and was adjourned at 9:56 a.m.. Bill No. 216-37 (COR) was amongst the items heard.

Public Notice Requirements

In accordance with the Open Government Law, public notices for the Public Hearing were posted on GovGuam Public Notice Portal, the KGTF-PBS Channel 12, and disseminated via e-mail to all senators and all main media broadcasting outlets on Monday, January 29, 2024 (5-Day Notice), and on Wednesday, February 7, 2024 (48-Hour Notice). The public notice was also published in the Guam Legislature website.

Senators Present

Senator Joe S. San Agustin, Chairperson
Senator Telo T. Taitague, Vice Chairperson
Senator Roy A. B. Quinata, Member
Senator Joanne M. Brown, Member
Senator Chris Barnett

Appeared Before the Committee

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission

Submitted Written Testimony

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission

II. SUMMARY OF TESTIMONY AND DISCUSSION

The Public Hearing was Convened at 9:02 a.m.

Chairman Joe S. San Agustin: Hafa adai, the Committee on General Government Operation and Appropriation now called to order. Today is Friday, February 9th, 2024. The time now is 9 o'clock. 9:02. In compliance with open government law, the notices for this public hearing were posted on GovGuam Public Notice Portal KGTF PBS Channel 12 and disseminated via email to all Senators and all main media broadcasting outlets on Monday, January 29th and again on Wednesday, February 7th.

The agenda today. The following items will be heard for this morning's public hearing. We have, they're pretty much all related to the Guam Elections Commission. There are bills 214-37, uh, COR, introduced by Senator Roy A. B. Quinata, and co-sponsored by myself, Senator San Agustin, an act to amend section 111 15, chapter 11, title 3, Guam Code Annotated, Related to Tabulated and Published Writing Votes.

And Bill 215-37 COR, uh, introduced by Senator Roy Quinata, also, and co-sponsored by myself, Senator San Agustin, an act to amend Section 1903E to Chapter 19, Title 1, Guam Code Annotated Act, and to amend Section 30101, Chapter 30, Title 5, Guam Code Annotated, relative to the election and qualification, and to amend processes for the Office of the Public Auditor and Attorney General in Guam. Bill 216-37 COR introduced also by Senator Roy A. B. Quinata and co-sponsored by myself, Senator San Agustin, an act to amend Section 9112 of Chapter 9, Title 3, Guam Code Annotated relative to the enforcement of electioneering at polling places.

Bill 217-37, 217-37 COR, introduced by Senator Roy A. B. Quinata, and also co-sponsored by myself, Senator San Agustin, an act to amend Section 14105 of Chapter 14, Title 3, Guam Code Annotated Relative to Provisional Ballots. Bill 218-37 COR, introduced by Senator Roy A. B. Quinata, and co-sponsored by myself, Senator San Agustin, an act to amend Section 3104, 3105, 3110.

And to add a new section 31021G chapter 3 title 3 Guam code annotated and to add a new section 3101.3G chapter 3 title 16 Guam code annotated relative to extending the term of appointment of a registration clerk and the times of registration. And bill 219-37 COR. Introduced by Senator Roy A.B. Quinata Co-sponsored by myself, Senator San Agustin, an Act to amend section 11- 1117.

And to add a new section, 1123, chapter one, title three, Guam code annotated relative to changing a precinct to a district and define the name of a candidate or nominee. And finally, bill 233-37 LS. Introduced by Senator Roy A. B. Quinata, an act to amend Section 17116 and repeal Section 17118, Chapter 17, Title 3, Guam Code Annotated, relative to changing preliminary reports to quarterly reports, eliminating final and supplementary reports.

That being said, and we have a total of Let me just count it out loud so that we have no problem with the numbers. 1, 2, 3, 4, 5, 6, 7 bills, all related to the Guam Election Commission. We're gonna combine all of them as one. We'll hear from the OPA, uh, former speaker, uh, B. J. Cruz. And he'll, he'll comment on the bill that, uh, relates to his area.

Which is, uh, 215-37. And then we'll hear from the Guam Election Commission. But we're gonna combine them all as one. Because they're all related and we don't need to keep introducing each bill every ten minutes. That being said, the fiscal note request was requested. And fiscal note waiver was received and disseminated to all Senators via email by Committee on Rules on December 27.

Those participating on all the bills are present. We have the, uh, OPA, the public auditor, Mr., uh, former Speaker B. J. Cruz, and we have Tom San Agustin from the Guam Elections Commission. General rules for this public hearing. Please provide my legislative staff with any documents for photocopying and distribution.

Panel members are asked to remain in the room for questions or additional testimony as may be desired by members of the committee. Question, testimony shall be confined to the substance or nature of the agenda. Personal inference as to the character or the motive of any senator or any individual testifying is not permitted.

Any violation of the general rule of conduct will result in removed from the public hearing room. Proper form and decorum shall be practiced by all present in the public hearing room for this proceedings. Individuals who fail to maintain proper form of quorum will be restricted and will be escorted from the room.

When you speak, please make sure that the microphone is on and that you speak into the microphone. Please state your name and your title for the record. Author of the bills are here, uh, Senator Roy A. B. Quinata. And with that, Senator Quinata, if you can make your opening statement for, and cover all the bills so we can wrap this up one time.

Thank you.

Senator Roy A. B. Quinata: Certainly. Thank you, Mr. Chair, for the opportunity to read public testimony on these bills. These legislative proposals that have been developed after comprehensive review of various election reform requests put forth by the Guam Election Commission. As a part of the regular reporting, the commission provides the legislature with an election comparative analysis report during the non election years.

The latest report, published in 2023, has proven to be a valuable source of information regarding Guam electoral process. In light of this, I am presenting the following bills which aim

to address specific aspects of the electoral system that require amendments to enhance transparency and effectiveness.

When Bill 214-37, the amendments sought for the Bill 214-37 would require write in votes to be tabulated and published if it has significant impact on the election results. Bill 214-37 states that if a write in vote's oval space is marked and a name is written alongside it, the write in votes will be counted for the corresponding office. If the total number of write in votes could affect the results of the office, the names next in the market and write in space will be tabulated and published. Otherwise, only total number of Mark right in spaces will be counted to build number 215-37 aims to amend the election and qualifications process that impacts the races of the Office of Public Auditor and the Attorney General of Guam as recommended by Guam Election Commission.

This bill 215-37 reduces the government of Guam's expenses. By ensuring that all certified candidates have their name listed on the ballot of the general election, the candidates with the highest number of votes as certified the- by the Guam Election Commission will be declared the winner of the election.

3- 216. Bill 216-37 aims to maintain the integrity of the electoral process and guaranteeing a neutral space for voters to ensure that a fair and unbiased voting environment of a hundred feet of non elect, of non electioneering zone is established around the entrances and of- entrances and the exiting of poll- polling sites.

The Guam Election Commission will be responsible for clearing and marking and marking these boundaries. And if needed, Guam Police Department will assist with the enforcement. Bill number 217-37 brings forth the amendment or subsection 14105 of Chapter 14, aiming to provide clarity on the timeline for curing and counting provisional ballots.

The proposed change provides that all provisional ballots should be addressed and accounted for prior to the certification of the election and oppose a current deadline of 10 days by the election. By implementing this measure, the Guam Election Commission will have an amp- will have ample time to go thoroughly and review and resolve all provisional ballots cast during this election.

And five.. Bill, bill 218-37 core is a straightforward legislative proposal that that aims enhancing and aiming and aimed at enhancing and efficiency of the Guam Election Commission and generated voter rolls. Ahead of the election, the bill encompasses several amendments, including the establishment of the 21 day window prior to the election, during the electors, mayor, mayor- may register. Additionally, the bill seeks to empower electors by enabling them to register for an election electronically. These amendments are intended to streamline the registration process and ensure a more accessible and convenient experience for voters.

Six. Bill number 219-37 redefines a precinct to a district. And adds a standardized definition of the name of a candidate and nominee through the Guam Election Code. Bill number 233-37 enhances the accountability of campaign funds of candidates by requiring candidates to submit quarterly reports rather than just the current standard preliminary and final reports.

Thank you again, Mr. Chair, and I look forward to your discussion on these bills. Thank you to OPA and GEC for attending as well.

Chairman Joe S. San Agustin: Thank you. Senator Quinata. That being, uh, I know that the OPA is, is here, that's why, but his second bill, we're gonna let the Guam Election Commission just go ahead and read their statement because you would cover everything and I don't see any objection to any of the bills.

I think the, the auditor would be glad to speak in support of the bill and we can move on in this. Mr. Tom, just go down the list on all of them and then we'll. Because yours is short, and it needs to be shorter. Oh, you, you, you have, you have a time constraint? Oh, then we'll let the auditor go first. Thank you, Mr. Speaker. Please.

(PLEASE SEE ATTACHED TESTIMONY OF BENJAMIN CRUZ, PUBLIC AUDITOR, OFFICE OF PUBLIC ACCOUNTABILITY)

Chairman Joe S. San Agustin: Thank you, uh, Auditor Speaker, uh, Cruz. Mr. Tom, I know before we start, I'd like to recognize my colleagues that have also joined us this morning. My Vice Speaker, Senator Telo Taitague, and, correction, Vice Chair, and Senator Joanne Brown.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Okay.

Chairman Joe S. San Agustin: Sir.

(PLEASE SEE ATTACHED TESTIMONY OF THOMAS H. SAN AGUSTIN, ACTING EXECUTIVE DIRECTOR, GUAM ELECTION COMMISSION)

Chairman Joe S. San Agustin: Thank you. Senator Roy, uh, no questions. Senator Taitague, do you have any questions for the two gentlemen on the panel?

Senator Telo T. Taitague: Good morning, Mr. Chair. Uh, thank you. I apologize for being a little late. I was listening on the way over here and understand the, what you're doing on the process, combining all the, the bills.

Kind of, it makes sense, but we're going to have to go through each one of them for me, if you don't mind. Um, uh, first, um with bill 214. You know, when I read this and read it three times to try and understand the language on this, um, like, what you, you, Tom, can you explain, like, if someone writes in, you know, have a write in, there's an oval next to an empty, a blank line.

You know, to write the person's name in, Donald Duck or whoever, and then they don't color in the oval part, right? But they just write it in. Is that pertaining to that when you're talking about, um, whether you count that even though the oval is not hit? Uh, or, or marked out, blacked out. And so, you know, the language in here, I was wondering also, who wrote the language for that particular bill?

Because it, it, it's kind of confusing.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Um, first, the language was provided from the GEC and submitted as a legislative recommendation, uh, which is our, we're required to do to submit for the comparative analysis. But to answer your question, Senator, what the bill is addressing is, uh, uh, the commission's duty to tabulate and..

Senator Telo T. Taitague: Post.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: And post, yes.

Senator Telo T. Taitague: Speak closer, I'm sorry, Tom. Can you speak a little bit closer? Yeah, to the, bring the mic up to you a little bit more. Okay, that's good. And, and kind of give me an example.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yeah.

Senator Telo T. Taitague: You know.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Okay. What the, what the bill addresses is to tabulate and post the write in results. So, uh, prior to our current machines, uh, after the primary and general election, the GEC would have to come together again and reopen the ballot boxes to examine all the write in candidates and record their names and then publish it to the, uh, publish it, um, and I'm sorry.

Senator Telo T. Taitague: On the website.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yeah, to publish the names of all the write ins. Uh, even though the, the race would not, the write in results would not affect the race. So what the, what the, uh, bill is seeking is that should the race, uh, the GEC, should the race not, the write in results not affect the race.

We, the GAC is requesting just to tabulate and publish the results of the writing. And should the race be affected, then we will proceed to go ahead and open it up and tabulate and count.

Senator Telo T. Taitague: Okay. I'm still not understanding Tom. Because currently right now, when I look at, at the end of the results of the election.

You can go online, which I appreciate what Guam Election does, you know, because there's a whole tabulation, you know, computerized, and it even has the write ins on it, and it has the names of those being written in, you know, and how many votes that individual received. And it never, has it ever affected, you know, the race at all. But it's still published.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes.

Senator Telo T. Taitague: So, I really don't see the difference here, that what you don't already do.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Well, what I guess, Senator, to address, what the bill would say is, if the write in votes, uh, would not affect the race, then the only thing that would be published is just the results of the write in. And no longer the names.

Senator Telo T. Taitague: Ah, okay. It's as simple as that. That's how the writing on this bill should say. But it doesn't. If anybody reads this, it's quite confusing. I don't know if the author of the legislation or someone can simplify this. You know, so that people understand. It's one thing to write language in a bill that's, you know, with, with legal, you know, verbiage that, you know, but the, uh, the layman to, to understand this, it's important, this is an election, not for attorneys or judges or people who have that, you know, background and understanding, but it's for the layman who, who understands what is actually going on with the election because it's a democratic process where everybody's involved.

So to simplify it, but, uh, yeah. I think we should just need to look at what that language is. But in the meantime, currently, if this bill does not pass, then you're required to write, regardless of the defects that are not to publish. The name of the write in and, and the number that they received, correct?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, that is correct.

Senator Telo T. Taitague: And what you're trying to do is stop that from happening.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: That is correct.

Senator Telo T. Taitague: I don't see why. I think transparency is really important and I think we should put it down regardless to see what the people of Guam are thinking about regardless if it's Donald Duck or not or Minnie Mouse, you know the names that they put down there.

It, it, it just should all be put down. Every aspect. So, the other one I have a question was about, um, Oh, I have no problem with 215. You know, I know the public auditor's testimony, you know, couldn't chime in on it, but I think this would save us money, right? Is that the purpose of this?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, that is correct, Senator.

Senator Telo T. Taitague: Okay. And how much money are we going to save by not putting a, having a primary?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: So approximately Senator, with the cost for the ballot for to procure it, print it. We're probably roughly around a little over 12, 000, but what the real cost savings will be actually the labor hours needed to handle the

Senator Telo T. Taitague: Counting.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yeah to handle the public auditor and Attorney General ballot because it is a separate ballot it's pretty much the same amount of the partisan ballots.

Senator Telo T. Taitague: So we were saving. Well, what you're telling us right now, it's about 12, 000 savings and then a plus manpower, which is paid for to us at the same time. So I'd like to, you know, it's good to have that calculation to on how much the manpower would cost on that. Um, so if you can combine that and let, let the chairman know how much that would also give us a savings to do, because..

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yeah we can provide an approximate amount that that to also, like it goes with the, uh, Uh, during tabulation night.

That's one of the reasons to why, um, in the primary election, it can go on, uh, uh, all the way throughout the, the, uh, the evening is because we're also counting two ballots..

Senator Telo T. Taitague: Right? Yeah..

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yeah.

Senator Telo T. Taitague: I understand.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: It's to cut that down to one will..

Senator Telo T. Taitague: You know, it's a, it's not a party affiliated, so I don't think there's the reason to have this, you know, so I, I do support that.

Uh, 2, 216 though, you know, I always thought, I mean. You always get assistance from GPD to assist you during these, you know, I don't understand why now you have to put it in writing. Does this give you actually the authority to call on GPD to, um, provide assistance when it comes to the parameters of, of the, uh, The line in which that's set up?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, Senator. So we always, we always collaborate with GPD regarding the safety of the, the polling sites. So, what the bill is actually doing is just providing more clarity and, and, uh, strengthening that collaboration with GPD and Guam Election. That, uh, when it comes to the safety of, uh, our voters, that GPD will be the one, because they are currently the ones who handle the public safety at the polling places.

Senator Telo T. Taitague: This doesn't mandate them to do so. I mean, you've, you've done it in the past. Um, have they been, you know, resistant in assisting you during election time? Is that why you want it in writing? But then again, it doesn't say shall in here either. It just says they like you're giving them the authority. They already have that authority.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Well, yeah, again, Senator, it's just, uh, it's just really to, yeah, to provide clarity within the code. But yes, GPD, uh, throughout the elections has always continued to support us and especially in

ensuring that traffic ways are clear and then that our, that our supporters out there, the supporters out there are safe as they, as the cars pass through.

Senator Telo T. Taitague: Okay. Um, well, I don't see anything in here mandating them to do it, you know, at the request of Guam Election. There is a shall section.

Chairman Joe S. San Agustin: Uh, Senator Taitague, on the bill it's, the Guam Police Department shall promptly assist in the enforcement of this section.

Senator Telo T. Taitague: Okay, there's the shall.

Chairman Joe S. San Agustin: So, there's the mandate.

Senator Telo T. Taitague: Yes.

Chairman Joe S. San Agustin: Because, I know for a fact on most election sites. GPD shows up, but there has no mandate. This will make them a mandate. They will participate.

Senator Telo T. Taitague: Now we're going to have to see from.. Now we're gonna have to hear from GPD. They weren't required to do this before they did it where they've, you know, have those who can assist at the time. And if that, that means on election day, they're going to have to pull people who are off, you know, officers who are not working that pull them on duty, there's going to be a cost to that. I'd like to know what that cost is. So, Mr. Chair, if I request, I'd like to request a GPD, you know, if we can get ahold of GPD and ask them to come forward with a money amount and how much it's going to cost them. Maybe that 12, 000 in savings from the OPA is going to go to, you know, GPD assistance. So we're not really saving, but I'd like to see that cost.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Roughly, Senator, the cost for security in the election, it ranges around 40, 000. Now just for this to handle the securing of the election airing, I, I don't have to break down that, but just to, uh, the cost for election security for the election day is roughly around 40, 000.

Senator Telo T. Taitague: Who do you pay that 40, 000 to, GPD?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: GPD.

Senator Telo T. Taitague: Okay, so you're paying them 40, 000, right, currently? Hmm. Well, I'd like to hear from GPD since the this word shall is in there makes a big difference, you know I'd like to hear their comment comments from there the other one on the ten days on 217-3.. 217-37

ten days tabulation After election is mandate to allow 10 days after the election to receive absentee balance currently.

What is it 21, right?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: No, it's it's 10 days.

Senator Telo T. Taitague: Okay, so 217.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes. So what what that mandate is currently The law requires the GEC. to tabulate provisional ballots within 10 days. However, we do have another law that does require the GEC. to wait for absentee ballots, and the last day being 10 days after the election.

So what this law pretty much is just synchronizing our timelines, and, uh, ensuring that, that absentee ballots and provisional ballots will be tabulated at the same time.

Senator Telo T. Taitague: Okay, it says prior to the certification of any election. Commission shall count the provisional ballot choice after every race. I don't, um, see any. I'd like to hear from my other colleagues on that one. Um, now this one here, you're extending it from 10 days to 21. That's the one that, um, actually I was wondering about. You're, is this going to make it longer for you to certify? Is this the one where you certify the, yeah. Is this going to make it a little bit longer to certify the result?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Bill 217, Senator?

Senator Telo T. Taitague: 218.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Oh, 218.

Senator Telo T. Taitague: I'm sorry. Yeah, I'm 218.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: 217 or 218?

I'm sorry.

Senator Telo T. Taitague: 218.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Oh, 218 is actually, uh, addresses the registration, the, uh, the close of registration.

Senator Telo T. Taitague: Oh, so, so, so. Yeah. So, yeah, this is. So, this one means that, um, um, you know, I know you guys are trying very hard to, to entice people to vote, right? I mean, because the low voter turnout was really bad in the last two elections, you know.

Um, and I know the Guam Election Commission is trying to do some outreach programs and education programs to try and get people to vote, exercise their right to vote. But by closing it earlier, um, than, or, or, you know, not being able to have it later, closing it earlier, 21 days, than 10 days prior to the election, don't you see that you're going to lose out on people who have that last minute mentality or, you know, trying to rush to get, you know, registered? Do you see that missing out?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Well, you know, Senator, so yes, there will always be a, I guess, a line or a rush to register on the last day. You know, the GEC has created multiple avenues and a lot of ease to have our voters register. And then in the past election, we have seen now, like, when we have our district registration, which is actually the close, um, excuse me, uh, the last couple of days prior to the close of registration.

The mayor's offices are are not as crowded as they were back during that time, so we will call and contact and in some days during those last few days, there's nobody entering in the in the mayor's offices, but we believe one of the reasons why is because we are ready. We are reaching out to a lot of the voters through the motor voter program, through our online registration, uh, through our district registrars and of course through the already established district registrars that are inside the mayor's offices as well.

Senator Telo T. Taitague: Thank you for answering that, Tom, because that first part, you know, wondering what, what is happening like with the current law right now, if you're seeing people rushing in on that last 10 days, you know, going in there.

And you're saying they're not, however, you know, we've done everything possible in the Guam Election Commission from doing early voting from, I think Senator Marsh is the one that put out that bill that allowed for early voting and people were taking advantage of that, you know, and I just want to make sure that it's, it's, you guys are still on that track of, you know, encouraging people to come vote and giving them every opportunity.

I mean, even if you're in their face saying here, you register to vote, you know, exercise your right. scenario in here. What are we doing it make it doing this for the comfort of Guam Election

Commission instead of, you know, allowing that extra days for people to come and register. And it seems like, you know, you're just cutting them off. So I'm kind of concerned about that.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Well, actually, Senator, we are, we have increased the registry. So back about maybe a couple election elections ago, the total registered voter for the general election would have been at 55, 000. So currently today we are already at 55, 000 before the primary and we do anticipate reaching around 60, 000 by the by the general election.

And then, uh, in, in regards to going out, uh, outreach, yes, uh, just recently we did have a, uh, an outreach, uh, Help America Vote Day, and we, we had it at the university, we did, we go, we went around again, passing out our QR codes, showing them, letting the students know the ease of registering to vote with simply just a driver's license or a Guam ID, and also, uh, reminding them that there is an election, uh, coming up this year.

And then we anticipate to still continue on those campaigns throughout the season to try and encourage our voters to come out.

Senator Telo T. Taitague: Okay, and we will definitely see in this election because the last two election was, it's very unfortunate, you know, we didn't get a good turnout. And I don't want to see that happen.

Um, the, I have, okay, the other question I have on 219-37. You know, Tom, when, uh, we come in to file for our candidacy and fill out that green card, you know, to put our name that will be on the ballot, they always allow us to put some kind of slogan on the side. Like, you know, mine was Tell it to Telo, right?

Yes. So it's Telo Taitague, you know, um, tell it to Telo. Are you still gonna allow that, even though you know this is required to now go on the birth certificate of an individual, uh, ?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: No, so that, that will still remain intact. What this, what this, uh, bill does is it, it, uh, sets the standard, I mean. It, uh, provides consistency and clarity, especially when it regards to some of the standards that the commission have already upheld.

So one of those is uh, the word name. So the commission standard when it comes to, to name, especially on voter registration petitions, uh, what do you call that? And candidacy information we, we would like for them to use their legal name. So actually we require them to use their legal name, but in regards to the nickname that that still will be intact, what will be shown is the, the candidates legal name on the top. And then, of course, uh, their better known name by right below.

Senator Telo T. Taitague: Okay, so malfunction can still be there, right?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, that will still be intact.

Senator Telo T. Taitague: With their, like, Pampuru, or, you know, all our family last names and stuff. Oh, uh, then on the petitions that we were required, you know, to fill out, like, for the senators, I think it's 250, if I'm not mistaken, 250?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes.

Senator Telo T. Taitague: Um, can you also put, like, you know, your, you know, name, your legal name that's like on your ID and then put, you know, tell it to Telo beside it. Is that still okay?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: That, that, that is fine as long as your legal name does appear, uh, on the..

Senator Telo T. Taitague: Petition as well as the ballot. Okay. That's good to know. I didn't want that to go away.

Um, Oh, I did have one question. Oh no, it has to be your full name then, correct? Cause you can't just put one, your first name and not even put your last name. You got to put your full name.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, that is, that is correct.

Senator Telo T. Taitague: Yeah. The other one is, okay, kind of explain to me this, this last one, 233-37, quarterly reports.

Yes. Okay, it's always confusing for those who are treasurers or even candidates who prefer to be their own treasurer, which is allowable. What exactly, just walk us through when you're explaining how to do these reports. I mean, it even talks about if you keep your, your account open, even after an election, some, you know, uh, elected officials who get in, they keep it open and they wait until the next term and you know, don't have to open a new one. But what is the process on that from the very beginning?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Okay. So Senator, what, what the bill actually seeks, it leaves everything else, the requirement of the

reportings intact. The only thing that it does change is just when to, when to file the reports with the commission.

But all requirements relative to expenses and, uh, and, uh, contributions received, they are, they will remain the same. So, uh, due to the mandated, the mandates for the primary and general elections and how compressed the timeline may be, the GEC is unable to review, uh, the campaign finance reports until after, uh, the primary and general elections.

So what this does is it, it actually, uh, spreads out those deadlines. throughout the timeline so that we can, uh, not only review the, the finance reports in a timely manner, but we can also, uh, what do you call that, advise candidates and committees on how to properly report their contributions and expenditures.

Senator Telo T. Taitague: You said quarterly, and you give the dates, right, on the quarterly dates that when the Election Commission, um, will be, you know, because usually quarterly, we start October, November, December, Jan, uh, December, that's one quarter, then. January, February, et cetera. Um, but this one actually starts your quarterly reports on, I believe it's April.

Yeah, you start on April. April 15th, July 15th, October 15th, January 15th. It's a little bit different from our regular fiscal, you know, quarterly reports. It's yeah, a little bit different. These are actually pacific dates in which the Election Commission are required the candidates to file their reports.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: So, yeah, actually, Senator, uh, they just clarified me. It's actually 15 days. It is a quarterly report, but the reports are due 15 days after the quarter has ended. That's why it's around April 15 July, October and January 15 So the reports are actually due 15 days after the quarter has ended.

Senator Telo T. Taitague: That it's due.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, that is correct. And then those will be the due dates, uh, uh, to the commission.

Senator Telo T. Taitague: Technically it's April 1st, and then you have that up to April 15th.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes.

Senator Telo T. Taitague: Is basically what you're saying.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: So the, yeah, so the reporting will be up to April 1st, but then your due date to submit the reports to the GEC.

Senator Telo T. Taitague: You're given 15 day leeway.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes.

Senator Telo T. Taitague: It doesn't say that here, you know, it, it just says April 15th. So if you're requesting it for April 1st on a quarter, every quarter, then it should say April 1st and then, um, up to the, or, you know, no later than, no later than the 15th. That's what it should say. And um, first complete a quarter following the filing of candidates or committees organizational report.

Okay. So that's, that's all I have actually. Um, I was looking at this and. Just the confusion on the first one, 2.. 214 was so confusing. I think there's a simplified way we can make it so that uh, those with, you know, not a legal background can understand it because of the ones that are gonna, you know, read the law to find out what you can and cannot do.

If you wanna run for election, and this is for people to understand. You know, um, and what they can and cannot do again. So I, uh, thank you, Mr. Chair, for the opportunity and gentlemen, it's always a pleasure to see you. Um, Mr. OPA, congratulations on your, you know, your announcement of running. So we definitely need you and thank you for your hard work and especially, most especially, please thank your staff.

They're amazing. You know, they are really, truly amazing over there with the lack of resources that you have. So. And Tom, esta.. thank you for also your long journey at, at Guam Election Commission. You have a lot of institutional knowledge, you know, I'm sure you pass that down to the next generation. Okay.

Thank you, Mr. Chair.

Chairman Joe S. San Agustin: Thank you, Senator. And just for a little clarification, when they talked about 218, in the beginning of the bill, it refers to changing from 10 days to 21 days. So I think that, that should have been clarified up front because when Senator Taitague asked that, we're shortening it, no, no, no, we extended it to 21.

We added 11 more days.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes.

Chairman Joe S. San Agustin: Okay. Thank you. Senator Brown, do you have any questions for the gentlemen on the panel?

Senator Joanne M. Brown: Thank you very much, uh, Mr. Chair. I mean, even though these, some are very short and, and, uh, easy to understand, I agree with Senator Taitague. I think we need to rewrite the language on 214 because even I need clarification in trying to read the Fino English that's here.

Um, what are you looking at exactly here? Are you looking at simply publishing the names of the write ins that are written or if they're not at a certain amount not writing them at all and just indicating that there were X amount of write ins? What, what exactly are you looking at doing here?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes. Yes, Senator.

So if the write ins do not, uh, would not affect the race, then yes, what the commission is seeking is just to publish the total number of write ins for that race.

Senator Joanne M. Brown: Would that include the names of who is written in?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: As this bill is written, it would not include the names.

Senator Joanne M. Brown: It would simply include the number, you had a write in of 20 people or whatever, 20 people did write ins.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Unless, of course, if the, if the write in votes could determine that, uh, could determine that the race will be affected, meaning one of the write ins may have a higher, higher vote in the office, then, then the commission will proceed to go ahead and..

Senator Joanne M. Brown: Have you ever had a situation where the write in affected an election at all?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: During my tenure as senator, no, not at all.

Senator Joanne M. Brown: No, not at all, right? Yeah. That'd be very, very, uh, limited. I see. And then, I know Senator Taitague had asked, and I, I didn't quite hear your response. You may have responded, but, um, what if someone simply wrote the name and didn't color the oval?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Oh, okay.

Senator Joanne M. Brown: Just to get that clarified.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Uh, for clarification, uh, that vote will not, will actually not be counted. Because the, uh, the way the law writes, uh, currently reads is that the voter must fill in the oval and then write in the candidate's name. So if the oval was not filled in, that would not be recorded.

Senator Joanne M. Brown: But I would think, you know, most people, I would think myself, if I were to write in a candidate, I would, you know, the extra effort of having to write Joe San Agustin, for example, if I were to write his name down, I would assume that that would be taken because I put the effort of writing his name down versus existing candidates that have already you know, the name's already there, and I'm simply marking the oval.

Um, so I don't know, maybe we should change that when you think about it, because if I, if I as a voter made the effort and specifically wrote the name, and then, what if I have a letter wrong in the way I wrote the name? But I think everyone would look at it and say, you know, this is Joe San Agustin's name.

Uh, what would you do in that case if it wasn't perfectly spelt? Spelled out and, and, you know, if they have to write the name.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Well, that Senator, uh, you're talking about if there's any misspelling on a write in name.

Senator Joanne M. Brown: I'm just, I'm just throwing that out as another example, you know, because those circumstances I'm sure happen, right?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: So, those kind of things, that will be addressed by the board when, when, so what we will do as a the commission, uh, we will bring all those names and then the variations of those names and we'll present it to the, to the commission if there is a race that comes close and we'll say, okay, um, we do have some names that have similarities, and then we'll leave it to the commission to determine whether or not they mean the same name or they are separate individuals.

Senator Joanne M. Brown: Well, I just bring it up because I probably, more than anyone, I think I'm the only one in the current legislature that actually had a recount on, on an election when Senator Ben Pangelinan and I had a very close race. Gosh, I don't know how many, 20, 18 years ago, you had one too? Which one? Oh, when you first won, okay.

Did you win? Oh, wow, okay. Mine was even more narrow. I beat Ben only by three votes, ultimately. I think the electronic counting was four, and by the time we counted 36, 000, hand counted 36, 000 ballots. Only beat them by three votes. Uh, and I recall, I mean, we were down to, you know, people counting, holding up to see if they could see a pencil mark.

Um, so, I, I understand your point in wanting to facilitate with regards to the handwritten votes. And, uh, maybe that's something we have to debate on the floor. Uh, but definitely, I think, uh, I think bill, this particular bill, the language needs to be written to simplify so that it, it is more understandable.

And the other thing I've never understood with the Guam Election Commission and this other bill, concerning the reporting requirements. Um, because it seems like once we do the election, we, we, we, we have a report before the election, we do a report after the election, and then not too long after that, we have to do another report.

And in most cases, um, you know, unless you're raising, fundraising every, every day or every week, there's really not much change for most candidates. Uh, you know, certainly if they're running for re election. Um, you know, as you get closer to the election, that's when you see more activity. So if there's no, if nothing has changed from the previous report, we still have to file the same report and every quarter and say it's, you know, it's the exact same amount as it was last report, because it seems to me a lot of reporting, um, a lot of hassle to reporting on, you know, maybe if there's almost no change at all with regards to the amounts.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, that's correct, uh, Senator. So if you, if there is still no change and it is a new reporting requirement, you would still have to, uh, file that report or that same report. But, uh, it, it, what do you call it, um, it, it's not actually a, an additional report. All, what the commission simply did was we took the same number of reports that you are currently required to file and we made them quarterly so that we can review them in a timely manner.

Yeah, so you will still be filing, uh, unless you, of course, you have a surplus or a deficit.

Senator Joanne M. Brown: Right.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: You will still be filing the same, uh, number of reports required today.

Senator Joanne M. Brown: Because of course, until, uh, I mean, like, you know, if we haven't yet filed, if we're going to run for election yet, all, you know, like my existing campaign account will have what was left from the last election.

So we just file that until we decide to run again or close out the account or whatever the case may be.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: I'm sorry, Senator. I couldn't catch that. Can you repeat that one more time?

Senator Joanne M. Brown: I'm just saying if, for example, if we've not yet decided whether you're going to run again, you have remaining funds in your account.

I mean, you, you continue to file until that's closed, assuming you're not running again. If you are running again, I assume you transfer that to your new report running as a candidate.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, that is correct, Senator.

Senator Joanne M. Brown: Okay. Well, I just bring it up because it seems like we just got out of an election and then even after you'd completed your final report on the election.

You have to file again within such a short time, and it just doesn't make a lot of sense to me. Especially, um, especially after elections, almost, I doubt there's a lot of activity unless somebody's really stuffing their cash bag, uh, you know, money donations even several months or even within the first year.

I have no change, for example, in the amount in my account since the end of last election, because I would have had no activity. That would have changed that last year. For example, I'm just bringing it up because it's a lot of paperwork and you know, I understand the intent of wanting to know and certainly I agree we should all know you have no problem reading mine.

I don't have a lot of donors, so it's easy to it's easy to see who donated to my campaign. I just it's just a laborious process and I don't know what's gained by it within such a short time of every quarter versus every six months. But again, that's something we can debate on the floor and we can adjust.

I do hope Mr Chair that we entertain these bills not in this session next week, but But if they were prepared for, um, our session next month, because I really don't like, as we get closer to the election, really dealing with any bills related to the election in any way, shape, or form.

Because, I mean, people will look at that and, you know, they're going to be wondering if we're trying to manipulate the process to our benefit, especially those of us that are incumbents.

So, uh, just be mindful to move them, even though they're almost innocuous in many cases. Uh, I think we should, uh, address that sooner than later. Just not next week. Don't add it on to the session as a potential. Yeah, next month would be fine if, if the committee report could be put together and expedited and, and so that we can dispense with anything related to the election.

Thank you.

Chairman Joe S. San Agustin: Thank you, Senator. And thank you, Senator Barnett, for joining us. Um, do you have any questions for the panel? Did you want to ask? Sure. Uh, feel free. Uh, the auditor was here earlier. He just has to attend another audit. So we told him to please go and complete the audit so we can get that report.

Senator Chris Barnett: Thank you, Mr. Chair. Good morning, Mr. Tom.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Good morning, Senator.

Senator Chris Barnett: I just promised Ms. Maria I'd come in here and give you a hard time this morning because she's watching, uh, from where she's at. I just wanted to ask on the write in, uh, the bill about the, the write in, so are you trying to not count the write in votes at all. Just if you could just explain what it is you're..

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: No, sir. So the right end votes will be tabulated. They will, they will continue to be tabulated.

Senator Chris Barnett: Okay, and that's if this bill passes..

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: So should this bill pass the publishing of the names of the write ins will not be done unless the.. It is not determined whether or not the write in votes or the candidates in the write in, uh, category may be the highest vote getter.

So that, that's what this, uh, this bill is seeking to do is should, should the, uh, should the write in votes not affect the race, then the commission wishes to just publish the total number of write in votes received for that race.

Senator Chris Barnett: And, and how is it done now?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Uh, currently we put, we, we tabulate the write in votes and then we also publish the names of the, of, of the write in candidates as well.

Senator Chris Barnett: And do you publish the number of write in votes the, uh, candidates received?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Not at the moment. We just publish the names of what we, uh, of what the voters written down.

Senator Chris Barnett: And so if this, uh, bill were to become law, let's say, for example, you have, uh, a gubernatorial race where Team A received, you know, 13, 000 votes and, uh, Team, uh, B received, you know, 12, 000 votes, but there are only 20 write ins.

So then what would the scenario be if this bill were to become law?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: If this bill were to pass, then the, what you will see on the reporting is just whatever the two candidates had on the top, the two gubernatorial teams, and then write in votes will be in the bottom 20.

Senator Chris Barnett: What is the slogan of the Guam election commission?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Your vote is your voice.

Senator Chris Barnett: There's also one, uh, Bote de Jumacuenta, right?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, Bote de Jumacuenta.

Senator Chris Barnett: Right. So do you think that this, uh, desire of you guys to, I'm just, uh, I'm kind of old school. I enjoy reading the write in votes and the the totals just because as someone coming from the media now a candidate I like to see, you know, who the people are trying to um, put in there.

So that's just the only comment I had on, on that. I mean, I understand it's a, it's a lot of work for you guys. Um, and then on the other question I had was on the, the name and that is bill

bill number 219-37. Right? So in your opinion, Mr, uh, Tom, would this, um, disallow the, uh, ability for the candidates to list the nickname that's under the, okay. Uh, the real ID name or whatever?

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Uh, no Senator. So, uh, it was just asked earlier.

Senator Chris Barnett: Oh, okay. Sorry.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: This will not affect the nickname. This will only address, like, what your name is on the ballot, which, which you guys, which we are already, uh, implementing.

Senator Chris Barnett: And so that's a

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: You have to use your legal name. Yes.

Senator Chris Barnett: That's a commission policy.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes, we're..

Senator Chris Barnett: Just seeking to codify it. Right. And that's how everyone found out my name was Darryl. Okay. Alright.

Thomas H. San Agustin, Acting Executive Director, Guam Election Commission: Yes. So it is a current standard that the commission is following. So what we're doing is just writing it into the code.

Senator Chris Barnett: Okay. Thank you, Mr. Tom. Thank you, Mr. Chair.

Chairman Joe S. San Agustin: Thank you very much. Uh, Senator Quinata, if you want to, any closing?

Senator Roy A. B. Quinata: No closing, Senator. I just wanted to thank you and the body, uh, for being present today, and certainly to the OPA and Guam Election Commission for being present to answer any questions, like my colleagues had this morning.

Uh, again, appreciate your time.

Chairman Joe S. San Agustin: Thank you. There being no one else to present testimony on all seven bills, I want to thank everyone for attending this hearing and providing feedback and suggestions. Bill 214. Let me read every bill. Bill 214, 215, Bill 216, 217, 218, 219, 233 has been duly heard. This public hearing is now adjourned.

Si yu'os ma'ase and please have a nice day. Thank you.

III. FINDINGS AND RECOMMENDATIONS

- Testimony provided by the GEC expresses that the bill provides more clarity and strengthens the collaboration with Guam Police Department and the Guam Election Commission.

The Committee on General Government Operations and Appropriations hereby reports out **Bill No. 216-37 (COR), As Introduced by the Committee on General Government Operations and Appropriation- "AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES."** with the recommendation TO DO PASS.

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 216-37 (COR)

Introduced by:

Roy A.B. Quinata 
Joe S. San Agustin 

**AN ACT TO *AMEND* § 9112 OF CHAPTER 9, TITLE 3,
GUAM CODE, RELATIVE TO THE ENFORCEMENT OF
ELECTIONEERING AT POLLING PLACES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 9112 of Chapter 9, Title 3, Guam Code Annotated is *amended*
to read as follows:

“§ 9112. Electioneering at Polling Place Prohibited.

No person shall do any electioneering on election day within one
hundred (100) feet of any entrance and/or exit of any polling place. In the
case of a school, the entrance is hereby defined as the entrance gate, if the
school is fenced. The Commission may, on a case-by-case basis and limited
to the election then forthcoming, create an exception to this Section through
resolution in order to safely conduct the election. Notices identifying the newly
set perimeter also shall be clearly posted at the polling place(s) affected.

The Commission shall be responsible for determining and marking
the one hundred (100) feet or other boundaries under this section. Upon
request of the Commission or any election official present at the polling
place, the Guam Police Department shall promptly assist in the enforcement
of this Section.”

1 **Section 2. Effective Date.** This Act shall be effective immediately upon
2 enactment.

3 **Section 3. Severability.** If any provision of this Act or its application
4 to any person or circumstance is found to be invalid or contrary to law, such
5 invalidity shall not affect other provisions or applications of this Act which can be
6 given effect without the invalid provision or application, and to this end the
7 provisions of this Act are severable.



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
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LIEUTENANT GOVERNOR

DEC 27 2023

Senator Chris Barnett
Chairperson, Committee on Rules
I Mina 'trentai Siette na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Senator Barnett:

The Bureau requests that Bill No. 216-37 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 216-37 (COR) is an act to amend § 9112 of Chapter 9, Title 3, Guam Code Annotated, relative to the enforcement of electioneering at polling places.

The Guam Election Commission has stated that this Bill does not have a fiscal impact and would “provide consistency in the election code and streamline the election process.”

Based on the forgoing, the proposed Bill is administrative in nature and would not fiscally impact FY2024 Government of Guam appropriations.

Senseramente,

LESTER L. CARLSON, JR.

OFFICE OF FINANCE AND BUDGET

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COMMITTEE ON GENERAL GOVERNMENT OPERATIONS
AND APPROPRIATIONS

I Mina'trentai Siette na Liheslaturan Guåhan

SENATOR JOE S. SAN AGUSTIN

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February 8, 2024

MEMORANDUM

To: Senator Joe S. San Agustin
Chairman, Committee on General Government Operations and Appropriations

From: Stephen J. Guerrero
Director, Office of Finance and Budget

Re: Funding Availability Note: Bill No. 216-37 (COR)

Hafa Aдай Senator San Agustin!

Pursuant to the Standing Rules of the 37th Guam Legislature, the Committee on Appropriations and/or the Office of Finance and Budget (OFB) shall determine in writing if the funding source cited in Appropriation or Authorization for Appropriations bills are sufficient.

The Office has received Bill No. 216-37 (COR), AN ACT TO AMEND § 9112 OF CHAPTER 9, TITLE 3, GUAM CODE, RELATIVE TO THE ENFORCEMENT OF ELECTIONEERING AT POLLING PLACES.

The proposed Bill No. 216-37 (COR) amends § 9112 of Chapter 9, Title 3, Guam Code Annotated, relative to the enforcement of electioneering at polling places. The proposed is administrative in nature and poses no fiscal impact on the Government of Guam funds.

Respectfully,

Stephen J. Guerrero
