

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
215-37 (COR) As amended on the Floor	Roy A. B. Quimata Joe S. San Agustin	AN ACT TO <i>AMEND</i> § 1903(e) TO CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO <i>AMEND</i> § 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.	12/15/23 9:55 a.m.	12/18/23	Committee on General Government Operations and Appropriations	Request: 12/18/23 12/27/23	2/9/24 9:00 a.m.	2/16/24 3:39 p.m.	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	3/18/24	AN ACT TO <i>AMEND</i> § 1903 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO <i>AMEND</i> § 30101 OF ARTICLE 1, CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF THE PUBLIC AUDITOR AND THE ATTORNEY GENERAL OF GUAM.	3/22/24	3/22/24	4/3/24	37-85	4/3/24	Received: 4/3/24 Mess and Comm. Doc. No. 37GL-24-1884	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

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


Transmitted via email to: speaker@guamlegislature.org

April 3, 2024

The Hon. Therese M. Terlaje
Speaker, I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

37GL-24-1883
37GL-24-1884
37GL-24-1885
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

APR 03 2024

Time: 4:14pm
Received: 

Re: Bill No. 214-37 (COR) - AN ACT TO AMEND § 11115 OF CHAPTER 11, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO TABULATED AND PUBLISHED WRITE-IN VOTES

Bill No. 215-37 (COR) - AN ACT TO AMEND § 1903 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO AMEND § 30101 OF ARTICLE 1, CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF THE PUBLIC AUDITOR AND THE ATTORNEY GENERAL OF GUAM

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

Håfa Adai Madam Speaker,

Bill No. 214-37 (COR), Bill No. 215-37 (COR), and Bill No. 216-37 (COR) each aim to improve election procedures in Guam.

Bill No. 214 simplifies reporting requirements for write-in votes by requiring the Guam Election Commission ("GEC") to publish the names of write-in votes only if such votes could change the election result. This amendment will help streamline the tabulation process.

Bill No. 215 eliminates the Primary Election for the Public Auditor and the Attorney General, which are non-partisan, allowing all certified candidates to proceed to the General Election. The bill also changes the dates candidates for the Attorney General and Public Auditor must file their



To: Therese M. Terlaje, Speaker
Fr: Lourdes A. Leon Guerrero, Governor of Guam
Date: April 3, 2024
Re: Bill Nos. 214-37 (COR), 215-37 (COR), and 216-37 (COR)

Page 2 of 2

candidacy with the GEC. Eliminating the requirement of a Primary Election for the non-partisan offices will reduce the cost of election for the GEC and the candidates themselves.

Finally, Bill No. 216 requires the GEC to determine and mark the one hundred (100) feet boundary at each polling place within which electioneering is prohibited. If the GEC requests assistance the Guam Police Department must intervene to enforce the prohibition on electioneering within the designated area. This measure will help to preserve a neutral space for voters to ensure a fair voting environment.

These amendments to our Election Code will help make our elections fairer, safer, and more efficient. For these reasons, I am signing Bill Nos. 214-37 (COR), 215-37 (COR), and 216-37 (COR) into law as **Public Law Nos. 37-84, 37-85, and 37-86**, respectively.

Senseramente,



LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 214-37 (COR) nka P.L. 37-84
Bill No. 215-37 (COR) nka P.L. 37-85
Bill No. 216-37 (COR) nka P.L. 37-86

cc via email: The *Honorable* Joshua F. Tenorio, *Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

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

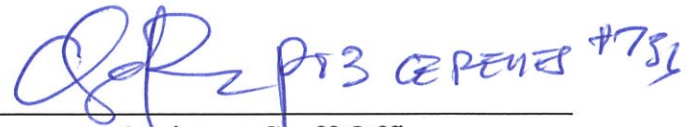
This is to certify that **Bill No. 215-37 (COR)**, “AN ACT TO *AMEND* § 1903 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO *AMEND* § 30101 OF ARTICLE 1, CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF THE PUBLIC AUDITOR AND THE ATTORNEY GENERAL OF GUAM,” was on the 22nd day of March 2024, duly and regularly passed.


Therese M. Terlaje
Speaker


Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 22ND day of MARCH,
2024, at 8:22 o'clock P.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 4/3/2024

Public Law No. 37-85

2024- 21282
OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Jomichael C. Quinata
Date: 3/25/24 Time: 8:29 AM

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

Bill No. 215-37 (COR)

As amended on the Floor.

Introduced by:

Roy A. B. Quinata
Joe S. San Agustin
Chris Barnett
Frank Blas, Jr.
Joanne M. Brown
Christopher M. Dueñas
Thomas J. Fisher
Jesse A. Lujan
Tina Rose Muña Barnes
William A. Parkinson
Dwayne T.D. San Nicolas
Amanda L. Shelton
Telo T. Taitague
Therese M. Terlaje

AN ACT TO *AMEND* § 1903 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO *AMEND* § 30101 OF ARTICLE 1, CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF THE PUBLIC AUDITOR AND THE ATTORNEY GENERAL OF GUAM.

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

2 **Section 1.** § 1903 (Public Auditor Election) of Chapter 19, Title 1, Guam
3 Code Annotated, is hereby *amended* to read as follows:

4 **“§ 1903. Public Auditor Election.**

1 (a) The Public Auditor shall be elected by the voters of Guam
2 in a General Election occurring at the same time as the General Election
3 for Mayors.

4 (1) The Public Auditor shall serve a term of four (4)
5 years.

6 (2) The Public Auditor is a non-partisan office.

7 (A) No candidate for the position of Public
8 Auditor shall declare a political party affiliation.

9 (B) No candidate for the Office of Public
10 Accountability shall seek the endorsement or receive
11 directly or indirectly financial or material support from a
12 political party.

13 (C) Any violation of the aforementioned shall
14 cause the Guam Election Commission to invalidate the
15 candidacy of the individual for Public Auditor.

16 (b) Candidates for Public Auditor shall be subject to the same
17 campaign and personal financial reporting requirements as applied to
18 candidates for *I Maga'låhen/Maga'hågan Guåhan*, as well as all laws
19 pertaining to campaign contributions.

20 (c) No nominating petition shall be required of a candidate for
21 Public Auditor.

22 (d) A candidate for the position of Public Auditor shall file his
23 or her candidacy with the Guam Election Commission no earlier than
24 one hundred sixty (160) days before the General Election, and no later
25 than ninety (90) days before the General Election.

26 (e) All qualified candidates complying with the provisions of
27 this Chapter shall be placed on the ballot for the Office of Public

1 Auditor to be cast at the General Election. The candidate receiving the
2 most votes, subject to the qualifications established by this Chapter,
3 shall be certified by the Guam Election Commission as having won
4 election to the position of Public Auditor.”

5 **Section 2.** § 30101 of Article 1, Chapter 30, Title 5, Guam Code Annotated,
6 is hereby *amended* to read as follows:

7 **“§ 30101. Attorney General.**

8 (a) The Office of the Attorney General of the government of
9 Guam shall be administered by the Attorney General of Guam, who
10 shall be elected by the people of Guam for a term of four (4) years.

11 (b) A candidate for the position of Attorney General of Guam
12 shall declare no political party affiliation. Candidates for Attorney
13 General of Guam shall be subject to the same campaign and personal
14 financial reporting requirements as apply to candidates for *I*
15 *Maga'låhen/Maga'hågan Guåhan* [the Governor], as well as all laws
16 pertaining to campaign contributions. No nominating petition shall be
17 required of a candidate for Attorney General of Guam. A candidate for
18 the position of Attorney General of Guam shall file his candidacy with
19 the Guam Election Commission no earlier than one hundred sixty (160)
20 days before the general election, and no later than ninety (90) days
21 before the general election. All qualified candidates complying with the
22 provisions of this Section shall be placed on the ballot for the office of
23 Attorney General to be cast at the General Election. The candidate
24 receiving the most votes, subject to the qualifications established by
25 this Chapter, shall be certified by the Guam Election Commission as
26 having won election to the position of Attorney General. The Attorney
27 General shall be sworn into and take office on the first Monday of the

1 January following the General Election at which the Attorney General
2 was elected and shall remain in office until the election and swearing
3 in of a new Attorney General, unless removed from Office as provided
4 for in this Section. The Attorney General shall:

5 (1) be at least thirty (30) years of age;

6 (2) be a citizen of the United States and a resident of
7 Guam;

8 (3) be an active member in good standing of the Guam
9 Bar Association on Guam for at least five (5) years immediately
10 preceding his or her candidacy for Office, or an inactive member
11 of the Guam Bar Association who, in the five (5) years preceding
12 his election as an Attorney General has served as an elected
13 official elected by the people of Guam or as a Public Auditor of
14 Guam, or as a Justice of the Supreme Court of Guam or Judge of
15 the Superior Court of Guam;

16 (4) not have been convicted of a felony; and

17 (5) not have been suspended from the practice of law in
18 any jurisdiction for violation of ethical rules governing the
19 practice of attorneys.

20 (c) The Attorney General of Guam may be removed in the
21 same manner as provided under the Organic Act of Guam for the
22 removal of *I Maga'låhen/Maga'hågan Guåhan* [the Governor]. As
23 provided in the Organic Act of Guam, a vacancy in the position of
24 Attorney General shall be filled:

25 (1) by appointment by *I Maga'låhen/Maga'hågan*
26 *Guåhan* [the Governor] if such vacancy occurs less than six (6)

1 months before a General Election for the Office of the Attorney
2 General of Guam; or

3 (2) by a Special Election held no sooner than three (3)
4 months after such vacancy occurs, and no later than six (6)
5 months before a general election for Attorney General of Guam,
6 and by appointment by *I Maga'låhen/Maga'hågan Guåhan* [the
7 Governor] pending a Special Election under this Subsection.”

8 **Section 3. Effective Date.** This Act shall be effective upon enactment.

9 **Section 4. Severability.** If any provision of this Act or its application to any
10 person or circumstance is found to be invalid or inorganic, such invalidity shall not
11 affect other provisions or applications of this Act that can be given effect without
12 the invalid provision or application, and to this end the provisions of this Act are
13 severable.