

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

2021 (FIRST) Regular Session

VOTING RECORD

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada					✓	✓
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator Telena Cruz Nelson	✓					
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedo" Terlaje	✓					
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres	✓					

TOTAL

14

0

1

1

Aye

Nay

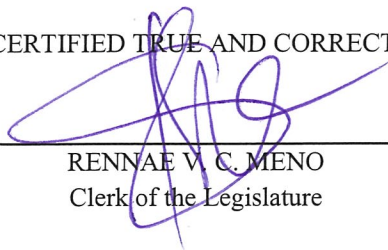
Not Voting/
Abstained

Out During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

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

Bill No. 120-36 (COR)

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

*

Introduced by:

James C. Moylan
Tina Rose Muña Barnes
Joe S. San Agustin
Jose “Pedo” Terlaje
Mary Camacho Torres

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

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

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

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

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

1 immediately marked, enclosed in the ballot envelope, placed in the return
2 envelope with the proper affidavit enclosed, and immediately returned to the
3 Commission.

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

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

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

8 (A) the Guam driver's license number or Guam
9 identification card number of the applicant issued by the
10 Department of Revenue and Taxation, Motor Vehicle
11 Division; or

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

14 (3) a declaration, under penalty of perjury, stating that
15 the voter resides within the district in which he or she is
16 voting, that he or she is a duly qualified elector entitled to
17 vote at the said election; that he or she is not voting in any
18 other jurisdiction; that he or she understands the
19 prohibitions against and the penalty for voting in any
20 election of Guam if he or she votes in another U.S.
21 jurisdiction; and

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

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

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

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

9 (3) the following witness certification, “Subscribed and
10 sworn to before me this____ day of _____, 20____, and I
11 hereby certify that the affiant exhibited the enclosed ballot to me
12 unmarked; that the affiant then, in my presence and of no other
13 person, and in such manner that I could not see his or her vote,
14 mark such ballot and enclosed and sealed the same in this
15 envelope; and that the affiant was not solicited or advised by me
16 for or against any candidate or measure,” which shall be executed
17 by an election official appointed or designated by the
18 Commission.”

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

21 **“§ 10107.1. Homebound Voting.**

22 The Commission shall deliver a ballot to any qualified elector classified
23 under § 10101(b) of this Chapter applying in person or by telephone;
24 provided, however, that such applicant shall complete and subscribe the
25 application heretofore prescribed in § 10103 of this Chapter; provided further,
26 that said application shall be made not more than thirty (30) days before the
27 election for which the vote is being cast. It is provided further, that said ballot

1 shall be immediately marked, enclosed in the ballot envelope, placed in the
2 affidavit envelope, and immediately returned to the Commission.”

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

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