Bill No. 404-31 (Cor)

Introduced by:

Chris M. Duenas

F.F. Blas, Jr.

V.A. Ada

AN ACT TO ADD A NEW SECTION 6115 TO CHAPTER 6 OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO INDEPENDENT CANDIDATES FOR ELECTIVE OFFICE; AND, TO AMEND SECTION 16207 OF TITLE 3, GUAM CODE ANNOTATED.

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

2 **Section 1.**   **Legislative Findings and Intent.** It is the intent of *I Liheslaturan Guåhan* to

3 provide a means by which an independent candidate for Senator, the office of *I Maga'lahen Guahan*

4 (the Governor of Guam) and *I Segundo Maga'lahen Guahan* (the Lieutenant Governor of Guam),

5 the office of Washington Delegate, and the offices of Mayor and Vice Mayor, may be qualified to be

6 placed upon the ballot for the General Election.

7 **Section 2.**   ***Add* a new Section 6115 to Chapter 6, Title 3, Guam Code Annotated.** A

8 new Section 6115 is *added* to Chapter 6 of Title 3, Guam Code Annotated, to read:

9 **"6115.   Nomination of Independent Candidates for the General Election. (a)** For

10 purposes of this Section, *Independent Candidate* means any person qualified as a candidate under

11 the laws of Guam, and the laws of the United States applicable to Guam, who is *not* a declared or

12 registered member of a recognized political party on Guam. To be designated as an *Independent*

13 *Candidate,* a person must renounce any affiliation with a recognized political party *prior* to

14 declaring candidacy as an *Independent Candidate*.

15 (b)   To obtain placement on the General Election ballot for the office of Senator, an

16 independent candidate *shall* submit a nominating petition containing the names and signatures of *not*

17 *less than* two percent (2%) of the registered voters on Guam to the Guam Election Commission no

18 later than 8:00 p.m. on the first Saturday of the month of September immediately preceding the

19 applicable General Election. The basis for the number of registered voters for purposes of this

20 Section shall be the number of registered voters eligible to vote in the preceding General Election.

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1   (c)   To obtain placement on the General Election ballot for the office of I Maga'lahen

2   Guahan (the Governor of Guam) and I Segundo Maga'lahen Guahan (the Lieutenant Governor of

3   Guam), an independent candidate *shall* submit a nominating petition containing the names and

4   signatures of *not less than* three percent (3%) of the registered voters on Guam to the Guam Election

5   Commission no later than 8:00 p.m. on the first Saturday of the month of September immediately

6   preceding the applicable General Election. The basis for the number of registered voters for purposes

7   of this Section shall be the number of registered voters eligible to vote in the preceding General

8   Election.

9   (d)   To obtain placement on the General Election ballot for the office of

10   Representative/Delegate to the United States House of Representatives, an independent candidate

11   *shall* submit a nominating petition containing the names and signatures of *not less than* three percent

12   (3%) of the registered voters on Guam to the Guam Election Commission no later than 8:00 p.m. on

13   the first Saturday of the month of September immediately preceding the applicable General Election.

14   The basis for the number of registered voters for purposes of this Section shall be the number of

15   registered voters eligible to vote in the preceding General Election.

16   (e)   To obtain placement on the General Election ballot for the office of Mayor or Vice

17   Mayor, an independent candidate *shall* submit a nominating petition containing the names and

18   signatures of *not less than* the greater of two percent (2%) of the registered voters or One Hundred

19   (100) registered voters of the village to the Guam Election Commission no later than 8:00 p.m. on

20   the first Saturday of the month of September immediately preceding the applicable General Election.

21   The basis for the number of registered voters for purposes of this Section shall be the number of

22   registered voters eligible to vote in that particular village at the preceding General Election."

23   **Section 3.   *Amend* Section 16207 of Title 3, Guam Code Annotated.** Section 16207 of

24   Title 3, Guam Code Annotated is *amended* to read:

25   "**§16207.   Independent Candidates.** Nomination papers may be filed on behalf of

26   independent candidates. The papers shall be similar in form and signed in the same manner as in the

27   case of party candidates, and no nominator shall sign any petition who has previously signed a

28   petition for the same party for a partisan candidate."

1   **Section 4.**   **Repealer.** All laws requiring an independent or non-recognized party

2 candidate to compete in a primary election or that are inconsistent with the intent of this Act are

3 repealed.