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I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 488-31 (COR)

Introduced by: **D. G. Rodriguez, Jr.**
Rory J. Respicio
Judith P. Guthertz
Tina R. Muña-Barnes
Adolpho B. Palacios, Sr.
Judith T. Won Pat, Ed.D.

AN ACT RELATIVE TO AUTHORIZING THE GUAM ELECTION COMMISSION TO RECONFIGURE THE PRIMARY ELECTION BALLOT TO ACCOMMODATE INDEPENDENT CANDIDATES, BY ADDING A NEW ITEM (1) TO SUBSECTION (a) OF §16301 OF ARTICLE 3, CHAPTER 16, TITLE 3, GUAM CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new item (1) is hereby added to Subsection (a) of §16301 of Article 3, Chapter 16, Title 3, Guam Code Annotated, to read:

"§ 16301. Form of Primary Election Ballot.

Ballots used in the Primary Election shall be in the form prescribed by the Guam Election Commission and shall conform to the following minimum requirements:

(a) All candidates for all offices to be contested in the forthcoming General Election *shall* appear on a Primary Ballot to be voted upon by voters in each voting district. A voting district is each district within Guam as defined in 1 GCA § 403, *unless* otherwise provided in this Title. The Guam Election Commission *shall* publish a ballot with the names of all qualified candidates from the Republican Party on one (1) side of the ballot, and the

names of all qualified candidates from the Democratic Party on the opposite side. This ballot format *shall* be used to limit voters to casting votes in only one (1) party for all offices in that Primary Election;

(1) If there are qualified candidates who are not members of either the Republican Party or the Democratic Party, then, the Guam Election Commission *shall* reconfigure the ballot as necessary in order that candidates' names *shall* be placed on the ballot in three (3) or more columns with a separate column for each different recognized party, and a separate column for those non-affiliated. The Guam Election Commission *shall* limit voters to mark their ballots in *only* one (1) column for all offices in that primary election."

Section 2: Severability. *If* any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall *not* affect other provisions or applications of this Act which can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are severable.

Section 3: Effective Date. This act *shall* take effect immediately upon enactment.