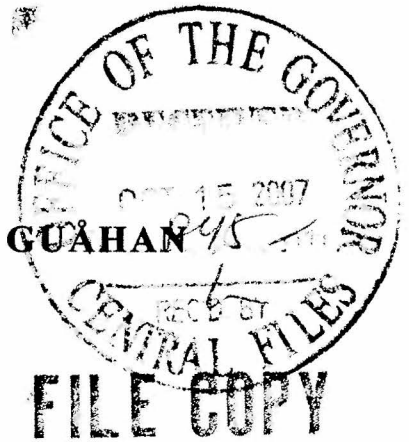




**MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN**  
TWENTY-NINTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910



October 15, 2007

The Honorable Felix P. Camacho  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 32(EC), 39(EC), 41(EC), 49(EC), 102(LS), 106(EC), 130(EC), 139(EC); and Substitute Bill Nos. 33(EC), 65(EC), 78(LS), 105(EC), 109(EC), 115(EC), 116(EC) & 132(EC) which were passed by *I Mina'Bente Nuebi Na Liheslaturan Guåhan* on October 10, 2007.

Sincerely,

RAY TENORIO

Senator and Secretary of the Legislature

Enclosures (16)

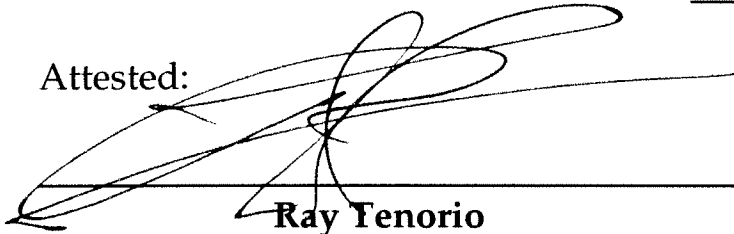
I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2007 (FIRST) Regular Session

FILE COPY

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN


This is to certify that Bill No. 41 (EC), "AN ACT RELATIVE TO INCREASING VOTER PARTICIPATION THROUGH ALLOWING FOR EARLY VOTING BY THE PEOPLE OF GUAM, AND FURTHER REQUIRING THAT SUFFICIENT PUBLIC NOTIFICATION BE PROVIDED IN EACH ELECTION ON THE AVAILABILITY OF SUCH SERVICES, THROUGH ADDING A NEW §10129 TO CHAPTER 10, TITLE 3 GUAM CODE ANNOTATED," was on the 10<sup>th</sup> day of October 2007, duly and regularly passed.

Attested:



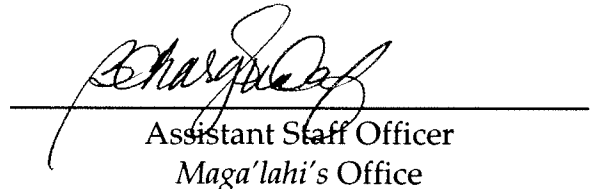
Ray Tenorio

Senator and Secretary of the Legislature



Edward J.B. Calvo  
Acting Speaker

.....  
This Act was received by I Maga'lahaen Guåhan this 15<sup>th</sup> day of Oct, 2007, at 12:45 o'clock P.M.



Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

\_\_\_\_\_  
FELIX P. CAMACHO  
I Maga'lahaen Guåhan

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN***  
**2007 (FIRST) Regular Session**

**Bill No. 41 (EC)**

As amended on the Floor.

Introduced by:

A. B. Palacios, Sr.  
Frank F. Blas, Jr.  
Edward J.B. Calvo  
James V. Espaldon  
Mark Forbes  
Judith Paulette Guthertz  
Frank T. Ishizaki  
J. A. Lujan  
Tina Rose Muña Barnes  
v. c. pangelinan  
R. J. Respicio  
David L.G. Shimizu  
Ray Tenorio  
A. R. Unpingco  
J. T. Won Pat

**AN ACT RELATIVE TO INCREASING VOTER PARTICIPATION THROUGH ALLOWING FOR EARLY VOTING BY THE PEOPLE OF GUAM, AND FURTHER REQUIRING THAT SUFFICIENT PUBLIC NOTIFICATION BE PROVIDED IN EACH ELECTION ON THE AVAILABILITY OF SUCH SERVICES, THROUGH *ADDING* A NEW §10129 TO CHAPTER 10, TITLE 3 GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that often voters cannot easily leave their place of employment to cast their votes at  
4 polling sites during Election Day. This was a concern that a number of Guam  
5 residents expressed in the most recent elections as they experienced difficulty  
6 getting away from their work responsibilities to exercise their right to vote. In

1 addition, persons with disabilities and the elderly often find it difficult to secure  
2 transportation, *or* at times find certain polling sites difficult to access in order for  
3 them to cast their vote on the day of the election. Providing for early voting will  
4 increase voter participation in the election process by enabling the voter to choose  
5 the day and time convenient for casting his/her vote prior to the actual Election  
6 Day.

7 *I Liheslaturan Guåhan* finds that the process of early voting for residents  
8 across the Unites States have been implemented for several years now, which have  
9 proven to be successful in a number of jurisdictions. Of the numerous states,  
10 fifteen (15) states to include, Arkansas, Arizona, California, Colorado, and Kansas  
11 provide for early voting with no excuse *or* rationale required; sixteen (16) states, of  
12 which include Oklahoma, South Dakota, Hawaii, Indiana, Maine, Alaska, provide  
13 for in-person absentee voting with no excuse required; and the state of Oregon  
14 provides for voting by mail with no excuse required.

15 *I Liheslaturan Guåhan* finds the highest form of democracy is a community  
16 which allows for its citizenry to fully participate in their respective elections,  
17 particularly in the election and selection of their leaders. Communities should  
18 encourage voters to increase their participation in elections through exercising their  
19 right to vote, and not making it difficult for anyone to do so. Early voting in Guam  
20 should result in greater voter participation, while lessening the likelihood of  
21 overcrowded polling sites on Election Day.

22 It is therefore, the intent of *I Liheslaturan Guåhan* to provide for greater  
23 voter participation in elections through the provision of early voting service to the  
24 community, increasing the public notification of the option for early voting, and  
25 insuring greater accessibility for the people of Guam to exercise their right to vote  
26 and to properly select their leaders island wide.

1           **Section 2.** A new §10129, Early Voting Service to the Community, is  
2 hereby *added* to Chapter 10, Title 3, Guam Code Annotated, to read as follows:

3           “**§10129. Early Voting Service to the Community.** (a)  
4 Provision for Early Voting. In order to facilitate greater voter  
5 participation, the Guam Election Commission *shall* allow a registered  
6 voter to vote early within the primary office of the Commission for any  
7 election. The voter *shall* not be required to provide any reason *or* excuse  
8 to the Commission *or* their office personnel for choosing to cast an early  
9 vote, other than providing necessary documentation that certifies that  
10 they are registered voters.

11           Thereupon, the Commission *shall* deliver a ballot for early voting  
12 to any qualified elector applying in person at the office of said  
13 Commission; provided, however, that such applicant *shall* complete a  
14 simple affidavit that will be attached to the envelope in which the ballot  
15 *shall* be placed. The Guam Election Commission *shall* be tasked with  
16 the creation of the simple affidavit, which will be utilized in the  
17 verification process of the individual who had voted. The early voting  
18 process *shall* commence upon the completion of the printing of the  
19 official ballots, but *not more than* thirty (30) days *nor less than* one (1)  
20 day before the date of the election for which the vote is being cast. Said  
21 early voting services *shall* be provided and made available to the  
22 community, at a minimum, during the normal working hours of the  
23 Commission office. Said early voting ballot *shall* be immediately  
24 marked, enclosed in the ballot envelope, placed in the return envelope  
25 with the proper affidavit attached, and immediately returned to the  
26 Commission. The Commission *shall* insure the confidentiality and

1 security of said envelope and ballot, in addition to maintaining custody of  
2 said documents as provided for in this Chapter.

3 (b) Reports of Tampering with Early Voting Ballots. The  
4 Guam Election Commission *shall* be responsible for the physical  
5 custody, security, and confidentiality of early voting ballots, and *shall*  
6 report any tampering *or* destruction of said ballots to the appropriate  
7 authorities immediately, but *no later than* twenty-four (24) hours of  
8 acknowledgement of such act.

9 (c) Public Notification of Early Voting Services to the  
10 Community. The Guam Election Commission *shall* insure that any and  
11 all public notices provided to the community on the conduct of an  
12 election during the course of an election process, through whichever  
13 media formats, i.e. print, radio, *or* television, etc, that incorporated  
14 therein is information on the opportunity for registered voters to take  
15 advantage of the early voting services highlighted herein.

16 (d) The Guam Election Commission *shall* carry out the  
17 provisions contained herein, and *shall* further be tasked with the  
18 formulation of rules, regulations *or* procedures necessary to insure their  
19 effective implementation. The Commission, at its discretion and to the  
20 utmost of its ability, *shall* insure the secrecy, confidentiality, and validity  
21 of any and all votes cast during the early voting process.

22 (e) The Guam Election Commission shall develop, implement  
23 and publish extended office hours during the weekday and additional  
24 hours on week-ends during the thirty (30) day early voting period to  
25 further accommodate the voting public.”