



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UESINAN I MAGA LAHE
AGANA, GUAM 96910 U.S.A.

REFER TO
LEGISLATIVE SECRETARY

MAY 31 1994

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

RECEIVED
OFFICE OF THE SPEAKER
DATE: 5/31/94
TIME: 5:46
REC'D BY: *(signature)*

Dear Mr. Speaker:

Transmitted herewith is Bill No. 855, which I have signed into law this date as
Public Law 22-129.

Sincerely yours,

Frank F. Blas

FRANK F. BLAS
Governor,
Acting

220722

Attachment




Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 855 (LS), "AN ACT TO REAPPROPRIATE SIXTY-TWO THOUSAND DOLLARS FROM THE APPROPRIATION MADE IN SECTION 26 OF PUBLIC LAW 22-41 TO THE GUAM ELECTION COMMISSION FOR ITS CONTINUED OPERATIONS FOR FISCAL YEAR 1994; TO ADD §§16108, 16109 AND 1611C TO TITLE 3, GUAM CODE ANNOTATED, ON CANCELLING PRIMARY ELECTIONS IF THERE ARE NO CONTESTS, ON FILLING VACANCIES AFTER PRIMARY ELECTIONS, AND ON WRITE-IN VOTES IN PRIMARIES; TO MAKE APPROPRIATIONS FOR WEIGHTLIFTING AND BOWLING CHAMPIONSHIPS BEING HELD IN GUAM; AND TO CAUSE A STUDY TO BE MADE OF CERTAIN TRAFFIC HAZARDS," was on the 13th day of May, 1994, duly and regularly passed.



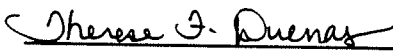
JOE T. SAN AGUSTIN
Speaker

Attested:



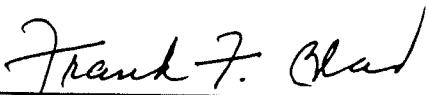
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of May, 1994, at
3:03 o'clock P.M.



Theresa J. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: May 31, 1994

Public Law No. 22-129

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 855 (LS)

As substituted by the Committee
on Ways and Means, as further
substituted by the Committee on Rules
and as further amended by the
Committee of the Whole

Introduced by:

Committee on General Government
Operations and Micronesian Affairs

T. S. Nelson

C. T. C. Gutierrez

H. D. Dierking

J. T. San Agustin

D. Parkinson

T. C. Ada

J. P. Aguon

E. P. Arriola

M. Z. Bordallo

P. C. Lujan

V. C. Pangelinan

E. D. Reyes

F. E. Santos

D. L. G. Shimizu

J. G. Bamba

A. C. Blaz

D. F. Brooks

F. P. Camacho

M. D. A. Manibusan

T. V. C. Tanaka

A. R. Unpingco

AN ACT TO REAPPROPRIATE SIXTY-TWO THOUSAND
DOLLARS FROM THE APPROPRIATION MADE IN
SECTION 26 OF PUBLIC LAW 22-41 TO THE GUAM
ELECTION COMMISSION FOR ITS CONTINUED
OPERATIONS FOR FISCAL YEAR 1994; TO ADD §§16108,
16109 AND 16110 TO TITLE 3, GUAM CODE ANNOTATED,

ON CANCELLING PRIMARY ELECTIONS IF THERE ARE NO CONTESTS, ON FILLING VACANCIES AFTER PRIMARY ELECTIONS, AND ON WRITE-IN VOTES IN PRIMARIES; TO MAKE APPROPRIATIONS FOR WEIGHTLIFTING AND BOWLING CHAMPIONSHIPS BEING HELD IN GUAM; AND TO CAUSE A STUDY TO BE MADE OF CERTAIN TRAFFIC HAZARDS.

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

2 **Section 1. (a) Legislative intent.** The Guam Election Commission is
 3 required, among other things, to conduct regular and special elections for the
 4 government of Guam. This year it will also conduct an election for the new
 5 Territorial Board of Education. It must carry out these functions despite
 6 having its regular budget reduced by four percent (4%) with the enactment of
 7 Public Law 22-41, and despite having to cover the approved increase of
 8 clerical personnel not included in its latest budget. If the Commission is to
 9 carry out its assigned tasks properly, its budget needs to be increased by
 10 Sixty-Two Thousand Dollars.

11 **(b) Appropriation.** Sixty-Two Thousand Dollars (\$62,000) are
 12 reappropriated from the appropriation previously made to the Department
 13 of Administration for the Government of Guam Retirement Fund set out in
 14 Section 26 of Public Law 22-41 to the Guam Election Commission for its
 15 continued operation for Fiscal Year 1994, to be expended as follows:

16	PERSONNEL	\$25,000
17	Implementation of Hay Re-Evaluation Study	
18	(Appeal II) including Administrative Officer	
19	(L-6), Secretary I (G-3), and Clerk I.	
20	CONTRACTUAL SERVICES	37,000
21	Paper requirements for the general and	

1 primary elections, for programming, and for
2 related services for five school election districts.

3 Section 2. §16108 is hereby added to Title 3, Guam Code Annotated, to
4 read:

5 "§16108. Primary elections cancelled when
6 unnecessary. (a) When the Commission determines that each
7 political party which has qualified for placement on the primary
8 ballot has:

9 (i) Twenty-one (21) candidates or fewer running for
10 nomination to the Legislature, it shall cancel such primary
11 election for the Legislature because of the lack of any contest;
12 or

13 (ii) Only one (1) set of candidates running for Governor
14 or Lieutenant Governor, it shall cancel such primary election
15 for the gubernatorial team because of the lack of any contest;
16 or

17 (iii) Only one (1) candidate running for mayor or vice
18 mayor in a particular municipal district, it shall cancel such
19 primary election for mayor or vice mayor because of the lack of
20 any contest.

21 (b) **Certification of candidates.** Following such cancellation,
22 the Commission shall certify all candidates who qualified to appear
23 on the ballots in such cancelled primary elections for placement on
24 the general election ballot as candidates of their respective political
25 parties for the general election. The drawing for placement of
26 names on the ballots for the primary election, if undertaken, shall

1 control the placement of names on the ballots for the general
2 election."

3 **Section 3.** §16109 is hereby added to Title 3, Guam Code Annotated, to
4 read:

5 "§16109. **Vacancies not to be filled.** In the event that fewer
6 than twenty-one (21) candidates are running for the Legislature
7 within any party, the central committee of such party or parties may
8 not fill up the party slate for the primary or general election to a full
9 twenty-one (21) nominees with its own nominations by filling those
10 positions which are unfilled because fewer than twenty-one (21)
11 candidates ran in that party's primary election."

12 **Section 4.** §16110 is hereby added to Title 3, Guam Code Annotated, to
13 read:

14 "§16110. **Minimum vote required.** No person shall be deemed
15 nominated in a primary election unless the candidate receives votes
16 at least three (3) times greater than the required number of
17 signatures needed for a petition for candidacy for such election, or
18 votes equal to four percent (4%) of the total number of persons who
19 obtain ballots to vote in that primary election for all parties,
20 whichever is less."

21 **Section 5. (a) Legislative findings and intent.** The Guam Weightlifting
22 Federation has been chosen to host the **Oceania Weightlifting Championship**,
23 being held on Guam in May of 1994. There are approximately one hundred
24 members of the **Oceania Weightlifting Federation** set to arrive on Guam to
25 participate in this important regional sporting event, with the nations of the
26 South Pacific as well as Australia and New Zealand competing in the
27 Championship. Weightlifters from Guam have won distinguished awards

1 showing world class standing in this sport, whose worldwide popularity is
2 steadily increasing, and the weightlifters who participated in the recent
3 **Micronesian Games** held on Guam in April also performed in an outstanding
4 fashion.

5 (b) **Appropriation.** Forty Thousand Dollars (\$40,000) are
6 reappropriated from the appropriation previously made in Section 26 of
7 Public Law 22-41 to the Guam Weightlifting Federation (the "Federation") to
8 cover the cost of hosting the **Oceania Weightlifting Championship**
9 competition in May, 1994. The Federation shall make a written report,
10 certified as to its accuracy by the president of the Federation, of all of its
11 expenditures under this appropriation to the Governor and to the Legislature
12 within thirty (30) days after the completion of the competition. Any
13 unexpended funds remaining from this appropriation shall revert to the
14 General Fund.

15 **Section 6. (a) Legislative findings and intent.** The 13th Asian Tenpin
16 **Bowling Championship** will be held on Guam during July 1st through the
17 10th, 1994. Such Championship is very prestigious and is held every two
18 years in the Asia-Pacific region. At least twenty countries will take part,
19 including those from the Middle East, Ireland, Australia, Japan, Hong Kong,
20 Singapore, China, Indonesia, Malaysia, Saipan, Taiwan, Korea, and others.
21 Approximately three hundred fifty bowlers will be present and competing in
22 the Championship, and thereby visiting Guam during their stay. They will be
23 hosted by the Guam Bowling Congress.

24 (b) **Appropriation.** Twenty Thousand Dollars (\$20,000) are
25 reappropriated from the appropriation previously made in Section 26 of
26 Public Law 22-41 to the Guam Bowling Congress ("G. B. C.") to cover the cost
27 of hosting the 13th **Asian Tenpin Bowling Championship** to be held on Guam

1 in July, 1994. GBC shall make a written report, certified as to its accuracy by
2 the president of GBC, of all of its expenditures under this appropriation to
3 the Governor and to the Legislature within thirty (30) days after the
4 completion of the competition. Any unexpended funds remaining from this
5 appropriation shall revert to the General Fund.

6 **Section 7. (a) Study.** The Department of Public Works ("DPW") shall
7 conduct a study to determine the best and safest methods of handling the
8 increasing congested traffic in the following areas: Along Route 1 from
9 **Chalan San Antonio** to the intersection at **Pick-A-Nail Street** and from the
10 intersection at **Pick-A-Nail Street** to the intersection of Route 1 and **Ypao**
11 **Road**; the intersection of Route 1 and **Pick-A-Nail Street**; along Route 1 from
12 **Saigon Restaurant** to the entrance of **Citibank** and from the entrance of
13 **Citibank** to **Pacific Construction Company**. Such study, on its completion,
14 shall be transmitted to the Governor.

15 **(b) Authorization.** On receipt of such report, and its approval, the
16 Governor is authorized to transfer to DPW the funds necessary to construct
17 or install in such areas the traffic control devices recommended in the study.

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Date: 5/13/94

VOTING SHEET
 (AS REVISED)

Bill No. 855
 Resolution No. _____
 Question: _____

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>ABSENT/ OUT DURING ROLL CALL</u>
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George		✓		
BLAZ, Anthony C.		✓		
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.		✓		
CAMACHO, Felix P.		✓		
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.		✓		
NELSON, Ted S.	✓			
PANGELINAN, Vicente C.	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.				✓
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.		✓		
UNPINGCO, Antonio R.		✓		

TOTAL 13 7 0 1

Twenty-Second Guam Legislature

155 Hesler Street
Pacific Arcade
Agana, Guam 96910
Telephone: (671) 472-3407 thru 9
Fax: 477-3161



CARL T.C. GUTIERREZ
Senator

Chairman, Committee
on Ways & Means

Vice-Chairman, Committee
on Rules

Vice-Chairman, Committee
on Tourism & Transportation

May 3, 1994

Honorable Speaker Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Legislative Temporary Building
Agana, Guam 96910

Dear Mr. Speaker:


The Committee on Ways & Means wishes to report out its findings on **BILL NO. 855, "AN ACT TO APPROPRIATE EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) TO THE GUAM ELECTION COMMISSION FOR CONTINUED OPERATIONS FOR FISCAL YEAR 1994"**, to the full Legislature with the recommendation to do **Pass as Substituted by the Committee on Ways & Means.**

The Committee Voting Record is as follows:

TO PASS:	<u>14</u>
NOT TO PASS:	<u>0</u>
ABSTENTIONS:	<u>0</u>
INACTIVE FILE:	<u>0</u>

Copies of the Committee Report and all pertinent documents are attached for your information.

Sincerely,


CARL T. C. GUTIERREZ
Chairman

Attachments

Twenty-Second Guam Legislature
 Committee on Ways & Means

VOTING SHEET

BILL NO.

855

AN ACT TO APPROPRIATE EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) TO GUAM ELECTION COMMISSION FOR CONTINUED OPERATIONS FOR FISCAL YEAR 1994.

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
<i>3/20/94</i> Senator Carl T. C. GUTIERREZ Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>MDuikun</i> Senator Herminia D. DIERKING Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>28 C. AD</i> Senator Thomas C. ADA Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>John P. Agnon</i> Senator John P. AGUON Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>E. Arriola</i> Senator Elizabeth P. ARRIOLA Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>John George Bamba</i> Senator J. George BAMBA Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Anthony C. Blaz</i> Senator Anthony C. BLAZ Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Pilar C. Lujan</i> Senator Pilar C. LUJAN Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Marilyn D. A. Manibusan</i> Senator Marilyn D. A. MANIBUSAN Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Ted S. Nelson</i> Senator Ted S. NELSON Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Vicente C. Pangelinan</i> Senator Vicente C. PANGELINAN Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>David L.G. Shimizu</i> Senator David L.G. SHIMIZU Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Antonio R. Unpingco</i> Senator Antonio R. UNPINGCO Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Joe T. San Agustin</i> Speaker Joe T. SAN AGUSTIN Ex-Officio Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**COMMITTEE ON WAYS & MEANS
COMMITTEE REPORT**

ON

**BILL NO. 855: AN ACT TO APPROPRIATE
EIGHTY-FIVE THOUSAND DOLLARS (\$85,000)
TO GUAM ELECTION COMMISSION FOR
CONTINUED OPERATIONS FOR FISCAL YEAR
1994.**

The Committee on Ways & Means conducted a public hearing on Monday, February 28, 1994 beginning at 9:00 a.m. at the Legislative Public Hearing Room to gather testimony on Bill No. 855. Senator Carl T. C. Gutierrez, Chairman of the Committee conducted the hearing, being joined by Senators Ted S. Nelson, David L. G. Shimizu, and Thomas C. Ada.

TESTIMONY

Mr. Henry A. Torres, Executive Director, Guam Election Commission

Mr. Chairman the summary of short falls are as follows:

1. \$39,000 is identified within its personnel category that affects two (2) of the commission's staff position based on the implementation of the Hay Re-evaluation study (Appeal II) and a budgeted position (Clerk I) granted by Public Law 22-41 which BBMR interprets only to be within the special appropriation of the last special election that was held on October 9, 1993. As evidenced in many elections, the number of registered voters does not decrease, but rather increases and for this reason, a Clerk I position is needed as we anticipate great demands before the primary election and most especially the general election.
2. The enactment of Public Law 22-42 (Territorial Board of Education) and because of the short time period of the elections between the primary and general, the commission must secure paper stock (ballots) prior to the general election which would necessitate an additional \$25,000 inclusive of the requirements of the General Services Agency to confirm an order of paper stock that must be purchased in the following fiscal year. The Commission must place this order prior to the ending of this Fiscal Year in order to address the absentee voters,



GUAM ELECTION COMMISSION
Kumision Ileksion Guahan
Territory of Guam

P.O. Box BG • Agana, Guam 96910



STATEMENT BY HENRY A. TORRES
EXECUTIVE DIRECTOR - GUAM ELECTION COMMISSION

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE ON WAYS AND MEANS, MY NAME IS HENRY A. TORRES AND I AM THE EXECUTIVE DIRECTOR OF THE GUAM ELECTION COMMISSION. ACCOMPANYING ME IS THE COMMISSION'S DEPUTY DIRECTOR, MS. ELIZABETH M. BLAS. THANK YOU FOR THE INVITATION TO PRESENT TESTIMONY ON BILL NO. 855 AND MOST ESPECIALLY THE EXPEDIENT ACTION OF THIS BODY TO ADDRESS THE COMMISSION'S NEED WITHIN ITS FY'94 BUDGET.

MR. CHAIRMAN, THE COMMISSION'S ORIGINAL APPROPRIATION FOR FISCAL YEAR 1994 WAS \$598,232.00. HOWEVER, WITH THE ENACTMENT OF PUBLIC LAW 22-41, THE COMMISSION REDUCED ITS BUDGET TO \$557,162.00 A DIFFERENCE OF \$41,070.00.

WHILE BILL NO. 855 ADDRESSES THE SHORT FALLS THAT THE COMMISSION WOULD ANTICIPATE AT THE END OF THE FISCAL YEAR, THE SUMMARY OF SHORT FALLS ARE AS FOLLOWS: \$39,000.00 IS IDENTIFIED WITHIN ITS PERSONNEL CATEGORY THAT AFFECTS TWO (2) OF THE COMMISSION'S STAFF POSITION BASED ON THE IMPLEMENTATION OF THE HAY RE-EVALUATION STUDY (APPEAL II) AND A BUDGETED POSITION (CLERK I) GRANTED BY PUBLIC LAW 22-41 WHICH BBMR INTERPRETS ONLY TO BE WITHIN THE SPECIAL APPROPRIATION OF THE LAST SPECIAL ELECTION THAT WAS HELD ON OCTOBER 9, 1993.

AS EVIDENCED IN MANY ELECTIONS, THE NUMBER OF REGISTERED VOTERS DOES NOT DECREASE, BUT RATHER INCREASES AND FOR THIS REASON, A CLERK I POSITION IS NEEDED AS WE ANTICIPATE GREAT DEMANDS BEFORE THE PRIMARY ELECTION AND MOST ESPECIALLY THE GENERAL ELECTION.

MR. CHAIRMAN, THE ENACTMENT OF PUBLIC LAW 22-42 (TERRITORIAL BOARD OF EDUCATION) AND BECAUSE OF THE SHORT TIME PERIOD OF THE ELECTIONS BETWEEN THE PRIMARY AND GENERAL, THE COMMISSION MUST SECURE PAPER STOCK (BALLOTS) PRIOR TO THE GENERAL ELECTION WHICH WOULD NECESSITATE AN ADDITIONAL \$25,000.00 INCLUSIVE OF THE REQUIREMENTS OF THE GENERAL SERVICES AGENCY TO CONFIRM AN ORDER OF PAPER STOCK THAT MUST BE PURCHASED IN THE FOLLOWING FISCAL YEAR. THE COMMISSION MUST PLACE THIS ORDER PRIOR TO THE ENDING OF THIS FISCAL YEAR IN ORDER TO ADDRESS THE ABSENTEE VOTERS, NOT TO MENTION THE LAYOUT AND PRINTING OF THE OFFICIAL BALLOTS AND SAMPLE BALLOTS TO EDUCATE THE VOTERS PRIOR TO THE GENERAL ELECTION. BECAUSE WE WILL BE ELECTING THE MEMBERS OF THE TERRITORIAL BOARD OF EDUCATION AT THE GENERAL ELECTION, THE REQUIREMENTS OF TECHNICAL SERVICES WILL BE NEEDED FOR THE PROGRAMMING OF THE FIVE (5) SCHOOL BOARD DISTRICTS DURING ITS TABULATION BY THE AIS 315 BALLOT READERS.


TO ADDRESS THE INCREASE IN OFFICE RENT WITH THE G.C.I.C. BLDG., INCLUDING ADDITIONAL USAGE OF THE AIR CONDITIONING SERVICES TO CONDUCT CERTAIN ACTIVITIES PRIOR TO THE ELECTIONS SUCH AS THE VERIFICATION OF NOMINATING PETITIONS, DRAWING OF NAMES FOR

BALLOT PLACEMENT AND THE DEADLINES FOR REGISTRATION AND ON ELECTION DAY THE COMMISSION WILL NEED \$21,000.00.

MR. CHAIRMAN, THE COMMISSION REALIZE THE FINANCIAL DIFFICULTY THE GOVERNMENT IS IN AND ALSO THE SENSITIVITY OF THE ELECTION PROCESS AND THE NEED TO SAVE TAXPAYER'S MONEY WHEN CONDUCTING AN ELECTION, WE OFFER THE SUGGESTION THAT THE LEFT OVER OF APPROXIMATELY \$51,100.00 FROM THE LAST SPECIAL ELECTION BE REPROGRAMMED WHILE THE REMAINING \$33,900.00 COME DIRECTLY FROM THE GENERAL FUND.

IN OUR CONTINUING EFFORT TO UPHOLD THE INTEGRITY OF THE ELECTION PROCESS BY PROVIDING EFFICIENT, COMPLETE, AND AN HONEST ELECTION AND MOST ESPECIALLY PROVIDING THE BEST POSSIBLE SERVICE TO THE VOTING PUBLIC WHILE THEY EXERCISE THEIR CONSTITUTIONAL RIGHT TO VOTE. THESE ARE THE REASONS WE SEEK THE ENDULGENCE OF THIS BODY FOR OUR NEED.

THANK YOU FOR ALLOWING US TO APPEAR BEFORE THIS COMMITTEE. AT THIS TIME, I WILL BE HAPPY TO ANSWER ANY QUESTIONS THAT THE MEMBERS MIGHT HAVE.


HENRY A. TORRES
EXECUTIVE DIRECTOR

Bill No. 855
Amendatory Bill

YES NO

Date Received 2/22/94
Date Reviewed 2/24/94

Department/Agency Affected: Guam Election Commission
Department/Agency Head: Mr. Henry Torres, Director
Total FY Appropriation to Date: \$557,162

Bill Title (preamble): An Act to appropriate eighty-five thousand dollars (\$85,000) to Guam Election Commission for continued operations for Fiscal Year 1994.

Change in Law:

Bill's Impact on Present Program Funding:
 Increase Decrease Reallocation No Change

Bill is for: Operations Capital Improvement Other ()

FINANCIAL/PROGRAM IMPACT

PROGRAM CATEGORY	ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)		TOTAL
	GENERAL FUND	OTHER	
Community Services	\$85,000		-\$85,000

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	Not applicable					\$85,000
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO-IF NO, ADD'L AMOUNT REQUIRED \$

AGENCY/PERSON/DATE CONTACTED: Guam Election Comm. / Henry Torres

ESTIMATED POTENTIAL MULTI-YEAR REVENUES

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	Not applicable					- 0.
OTHER						
TOTAL						

ANALYST Frank Lizana

DATE 2/25/94

DIRECTOR GIOVANNI T. SCAMBELLURI

FEB 25 1994
DATE

FOOTNOTES:

No budget proposals addressing any budget shortfalls or the special election were submitted to the Bureau.

not to mention the layout and printing of the official ballots and sample ballots to educate the voters prior to the general election. Because we will be electing the members of the Territorial Board of Education at the general election, the requirements of technical services will be needed for the programming of the five (5) school board districts during its tabulation by the AIS 315 ballot readers.

3. The Commission will need \$21,000 to address the increase in office rent with the GCIC bldg., including additional usage of the air conditioning services to conduct certain activities prior to the elections such as the verification of nominating petitions, drawing of names for ballot placement and the deadlines for registration and on election day.

The Commission realize the financial difficulty the government is in and also the sensitivity of the election process and the need to save taxpayer's money when conducting an election, the Commission offers the suggestion that the left over of approximately \$51,000 from the last special election be reprogrammed while the remaining \$33,900 come directly from the General Fund.

COMMITTEE RECOMMENDATION

The Committee on Ways & Means, after due consideration of the testimony offered in support of Bill No. 855, recommends that the Bill be reported out to the full Legislature to do **Pass as Substituted by the Committee**.

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 855

As substituted by the
Committee on Ways & Means

Introduced by:

Committee on General Government
Operations and Micronesian Affairs

T. S. Nelson

C. T. C. Gutierrez

AN ACT TO REAPPROPRIATE SIXTY-TWO THOUSAND DOLLARS (\$62,000) FROM THE APPROPRIATION PREVIOUSLY MADE TO THE DEPARTMENT OF ADMINISTRATION FOR THE GOVERNMENT OF GUAM RETIREMENT FUND IN SECTION 26 OF PUBLIC LAW 22-41 TO THE GUAM ELECTION COMMISSION FOR CONTINUED OPERATIONS FOR FISCAL YEAR 1994.

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

2 Section 1. Legislative intent. The Guam Election Commission is tasked
3 with, among other things, conducting regular and special elections for the
4 government of Guam. This year they will also be conducting an election the new
5 "Territorial Board of Education." They must carry out these functions despite
6 having their regular budget reduced by four percent (4%) with the enactment of
7 Public Law 22-41, and having approved increase of clerical personnel not included
8 in their latest budget. If the Commission is to carry out their assigned tasks
9 properly, their budget needs to be increased by Sixty-Two Thousand Dollars
10 (\$62,000).

1 **Section 2. (a)** Sixty-Two Thousand Dollars (\$62,000) are reappropriated from
2 the appropriation previously made to the Department of Administration for the
3 government of Guam Retirement Fund in Section 26 of Public Law 22-41 to the
4 Guam Election Commission for continued operations for Fiscal Year 1994 to be
5 expended as follows:

6 PERSONNEL \$25,000

7 Implementation of Hay Re-Evaluation Study (Appeal II) including
8 Administrative Officer (L-6), Secretary I (G-3), and Clerk I.

9 CONTRACTUAL SERVICES 37,000

10 Paper requirements for FY'94 General Election; Programming and related
11 services for 5 school districts.

TWENTY SECOND GUAM LEGISLATURE FEB 14 '94
1994 (Second) Regular Session

Bill No. 855 (LS)

Introduced by:

Committee on General Governmental
Operations and Micronesian Affairs

AN ACT TO APPROPRIATE EIGHTY-FIVE THOUSAND
DOLLARS (\$85,000) TO GUAM ELECTION COMMISSION
FOR CONTINUED OPERATIONS FOR FISCAL YEAR 1994

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4 with, among other things, conducting regular and special elections for the
5 government of Guam. This year they will also be conducting an election for
6 the new "Territorial Board of Education." They must carry out these functions
7 despite having their regular budget reduced by P.L. 22-41, and having approved
8 increase of clerical personnel not included in their latest budget. Additionally,
9 their office space rental fees have been increased without any increase in the
10 budget to cover this added expense. If the Commission is to carry out their
11 assigned tasks properly, their budget needs to be increased by Eighty-Five
12 Thousand Dollars (\$85,000) as soon as possible.

TWENTY SECOND GUAM LEGISLATURE
1994 (Second) Regular Session

FEB 14 '94

Bill No. 855 (LS)

Introduced by:

Committee on General Governmental
Operations and Micronesian Affairs

AN ACT TO APPROPRIATE EIGHTY-FIVE THOUSAND
DOLLARS (\$85,000) TO GUAM ELECTION COMMISSION
FOR CONTINUED OPERATIONS FOR FISCAL YEAR 1994

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:

3 **Section 1. Legislative intent.** The Guam Election Commission is tasked
4 with, among other things, conducting regular and special elections for the
5 government of Guam. This year they will also be conducting an election for
6 the new "Territorial Board of Education." They must carry out these functions
7 despite having their regular budget reduced by P.L. 22-41, and having approved
8 increase of clerical personnel not included in their latest budget. Additionally,
9 their office space rental fees have been increased without any increase in the
10 budget to cover this added expense. If the Commission is to carry out their
11 assigned tasks properly, their budget needs to be increased by Eighty-Five
12 Thousand Dollars (\$85,000) as soon as possible.

1 **Section 2. Appropriation.** There is appropriated to the Guam Election
2 Commission from the unexpended balance of the General Fund, the sum of
3 Eighty-Five Thousand Dollars (\$85,000) to be budgeted as follows:

4 a. PERSONNEL (111/112) \$39,000.00

5 Implementation of Hay Re-Evaluation Study (Appeal II) including
6 Administrative Officer (L-6), Secretary I (G-3), and Clerk 1.

7 b. CONTRACTUAL SERVICES (230) \$25,000.00

8 Paper requirements for FY'94 General Election; Programming and
9 related services for 5 School Districts.

10 c. OFFICE RENTAL \$21,000.00

11 To cover rental increase for office space in GCIC Building.