

01112

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 489 (COR), "AN ACT TO CREATE AN INTERIM ELECTION COMMISSION" which I have **signed** into law as **Public Law No. 25-165**.

Very truly yours,



Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco
Speaker

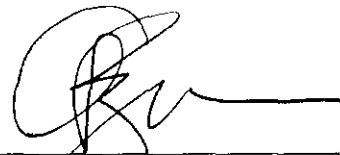
01112

Handwritten notes: 32, 11-2 P-12, 11-5 2000

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

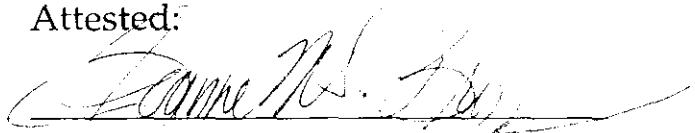
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Bill No. 489 (COR) "AN ACT TO CREATE AN INTERIM ELECTION COMMISSION," was on the 6th day of October 2000, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by I Maga'lahen Guahan this 6th day of October, 2000,
at 5:13 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: 10-06-00

Public Law No. 25-165

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) REGULAR SESSION

Bill No. 489 (COR)

Introduced by:

A. R. Unpingco
L F. Kasperbauer
F. B. Aguon, Jr.
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
A. C. Lamorena, V
C. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
J. C. Salas
S. A. Sanchez, II

AN ACT TO CREATE AN INTERIM ELECTION
COMMISSION.

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

2 **Section 1. Interim Election Commission Creation and Duties.** There
3 is within the government of Guam, an Interim Election Commission created
4 solely and exclusively to conduct and certify the elections for the calendar
5 year 2000.

1 The Interim Election Commission shall not affect the appeal of the
2 litigation between the Republican Party of Guam and *I Mina'Bente Singko Na*
3 *Liheslaturan Guahan*, and the Honorable Carl T. C. Gutierrez, *I Maga'lahen*
4 *Guahan*, and the government of Guam, filed in the United States District Court
5 of Guam, under case number CIV00-00032.

6 **Section 2. Composition of the Interim Election Commission.** The
7 Interim Election Commission created by this Act shall be composed of three
8 (3) persons jointly selected by the Speaker of *I Mina'Bente Singko Na*
9 *Liheslaturan Guahan*, Antonio R. Unpingco, and *I Maga'lahen Guahan*, Carl T.C.
10 Gutierrez, and shall not be formed until all such persons shall have been so
11 selected. In the event a vacancy shall occur in any of the members, the
12 Speaker of *I Mina'Bente Singko Na Liheslaturan Guahan*, Antonio R. Unpingco,
13 and *I Maga'lahen Guahan*, Carl T.C. Gutierrez, shall meet to select a
14 replacement member. No selection of any member shall be binding unless the
15 Speaker of *I Mina'Bente Singko Na Liheslaturan Guahan*, Antonio R. Unpingco,
16 and *I Maga'lahen Guahan*, Carl T.C. Gutierrez, shall have selected the three (3)
17 persons in a signed writing.

18 **Section 3. Interim Election Commission Chairperson.** The Interim
19 Election Commission shall select one (1) of its members as chairperson to
20 preside at all meetings of the Interim Election Commission.

21 **Section 4. Quorum.** Two (2) members of the Interim Election
22 Commission shall constitute a quorum.

1 **Section 5. Commission vote necessary to act.** No act of the
2 Commission on any issue shall be valid unless taken by a positive vote of two
3 (2) or more members.

4 **Section 6. Expiration of Interim Election Commission.** The Interim
5 Election Commission created by this Act shall expire upon certification of the
6 results of the elections for the calendar year 2000.

7 **Section 7. Preemption and Severability.** This Law shall preempt
8 and survive any and all local laws to the contrary previously enacted, for the
9 sole and limited purpose of the holding of the elections in the calendar year
10 2000, and shall not effect the requirement to form an Election Commission as
11 required by Public Law 25-146, or any other obligations under Public Law 25-
12 146, or any other law applicable to Guam, which law is not in conflict with the
13 specific provision of the limited purpose of this Law. Should any part of this
14 Law be determined by a court of competent jurisdiction to be in conflict with
15 any other superior law of Guam, the court declaring the provision invalid
16 shall be equitable jurisdiction to certify the results of any election conducted
17 under the authority of this Law.

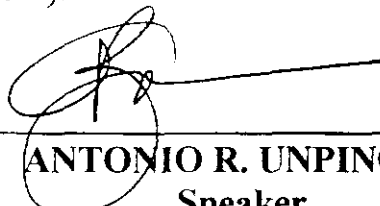


MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

2000 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Singko Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the people and therefore waive the statutory requirements for a public hearing on Bill Number 489 (COR), "AN ACT TO CREATE AN INTERIM ELECTION COMMISSION," which was introduced on this date, October 6, 2000, and therefore waive the statutory requirements for a public hearing on Bill Number 489 (COR).

Dated: October 6, 2000



ANTONIO R. UNPINGCO
Speaker

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

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

This is to certify that Bill No. 489 (COR) "AN ACT TO CREATE AN INTERIM ELECTION COMMISSION," was on the 6th day of October 2000, duly and regularly passed.

ANTONIO R. UNPINGCO
Speaker

Attested:

JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by *I Maga'lahen Guahan* this _____ day of _____, 2000,
at _____ o'clock _____.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: _____

Public Law No. _____

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) REGULAR SESSION

Bill No. 489 (COR)

Introduced by:

A. R. Unpingco
L F. Kasperbauer
F. B. Aguon, Jr.
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
A. C. Lamorena, V
C. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
J. C. Salas
S. A. Sanchez, II

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3 *Lihsaturan Guahan*, and the Honorable Carl T. C. Gutierrez, *I Maga'lahen*
4 *Guahan*, and the government of Guam, filed in the United States District Court
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11 selected. In the event a vacancy shall occur in any of the members, the
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14 replacement member. No selection of any member shall be binding unless the
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17 persons in a signed writing.

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19 Election Commission shall select one (1) of its members as chairperson to
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6 results of the elections for the calendar year 2000.

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10 2000, and shall not effect the requirement to form an Election Commission as
11 required by Public Law 25-146, or any other obligations under Public Law 25-
12 146, or any other law applicable to Guam, which law is not in conflict with the
13 specific provision of the limited purpose of this Law. Should any part of this
14 Law be determined by a court of competent jurisdiction to be in conflict with
15 any other superior law of Guam, the court declaring the provision invalid
16 shall be equitable jurisdiction to certify the results of any election conducted
17 under the authority of this Law.

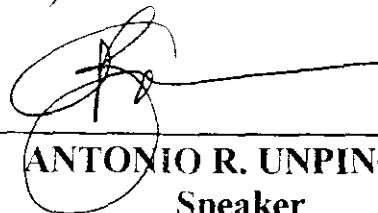


MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

2000 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *1 Mina'Bente Singko 'Na Liheslaturan Guahan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the people and therefore waive the statutory requirements for a public hearing on Bill Number 489 (COR), "AN ACT TO CREATE AN INTERIM ELECTION COMMISSION," which was introduced on this date, October 6, 2000, and therefore waive the statutory requirements for a public hearing on Bill Number 489 (COR).

Dated: October 6, 2000



ANTONIO R. UNPINGCO
Speaker

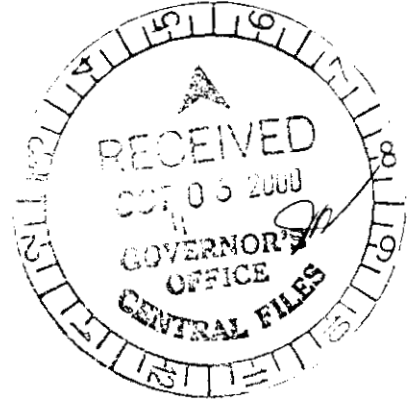


MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagåtña, Guam 96910

October 6, 2000



The Honorable Carl T.C. Gutierrez
I Maga'lahaen Guahan
Ufisinan I Maga'laha
Hagåtña, Guam 96910

Dear *Maga'laha* Gutierrez:

Transmitted herewith is Bill No. 489(COR) which was passed by *I Mina'Bente Singko Na Liheslaturan Guahan* on October 6, 2000.

Sincerely,

JOANNE M.S. BROWN

Senator and Legislative Secretary

Enclosure

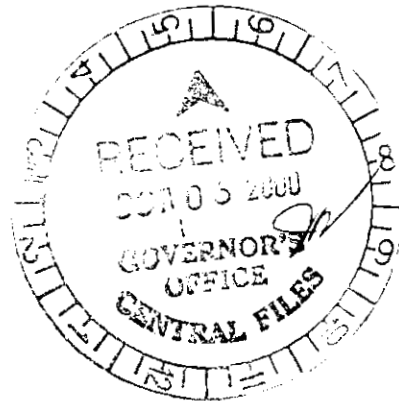


MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagåtña, Guam 96910

October 6, 2000



The Honorable Carl T.C. Gutierrez
I Maga'lahaen Guahan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Gutierrez:

Transmitted herewith is Bill No. 489(COR) which was passed by *I Mina'Bente Singko Na Liheslaturan Guahan* on October 6, 2000.

Sincerely,

JOANNE M.S. BROWN

Senator and Legislative Secretary

Enclosure



I MINA BENTE SINGKO NA LIHESLATURAN GUAHAN
Twenty-Fifth Guam Legislature

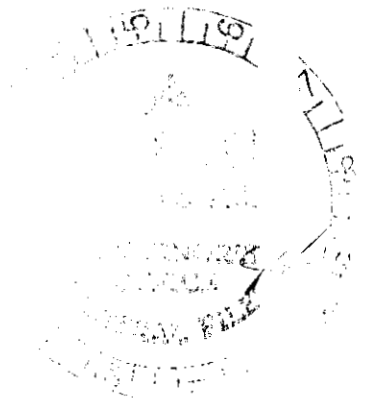
Antonio R. Unpingco

Speaker

Office of the Speaker

October 6, 2000

The Honorable Carl T. C. Gutierrez
I Maga'lahaen Guahan
Executive Chambers
R. J. Bordallo Governor's Complex
Hagatna, Guam 96910



Dear Governor Gutierrez:

With the passage of Bill No. 489 (COR) by *I Liheslaturan Guahan*, enclosed are the names of the three (3) individuals that you and I discussed and agreed upon to serve as members of the Interim Election Commission. The individuals are as follows:

Mr. Henry Torres
Mr. Fred Jackson
Mr. Ronald McNinch

I kindly ask that you affix your signature below, indicating your concurrence to these appointments to the Interim Election Commission.

I thank you in advance for your cooperation and timely response.

Sincerely,

Antonio R. Unpingco
Speaker

CONCURRED:

Carl T. C. Gutierrez
I Maga'lahaen Guahan

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

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

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ANTONIO R. UNPINGCO
Speaker

Attested:

JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guahan* this _____ day of _____, 2000,
at _____ o'clock _____ M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: _____

Public Law No. _____

10-6-00
1:25 pm
[Signature]

IX TRANSMISSION CHECKLIST TO I MAGA'LAHEN GUAHAN
(Included in File w/ All Bills Transmitted)

BILL NO.

9009

- EXHIBITS ATTACHED
- CONFIRM NUMBER OF PAGES
- CAPTION ON CERTIFICATION MATCHES BILL CAPTION
- ENGROSSED SIGN""*"" REMOVED FROM BILL
- 15 SENATORS IN SPONSORSHIP OR CONFIRM OTHERWISE
- CERTIFICATION SIGNED BY SPEAKER & LEGIS. SECRETARY
- EMERGENCY DECLARATION, if any

Confirmed By:

Dated: _____

FINAL REVIEW:

Dated: _____

- HAND CARRY BILL IN BLUEBACK (ORIGINAL & COPY)
TO THE GOVERNOR. (DANNY, ROBERT OR OTHERS)
- ACKNOWLEDGED COPY W/ ORIGINAL BLUEBACK
PLACED ON CLERK'S DESK. (Same copy given to Susan)

- FILED by: Danny, Robert or others

6

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

Date: 10/6/02

VOTING SHEET

Bill No. 489 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	11 ✓				
BERMUDES, Eulogio C.					✓
BLAZ, Anthony C.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Eduardo B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
MOYLAN, Kaleo Scott	111	* ✓			
PANGELINAN, Vicente C.		✓			
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.	✓				

TOTAL 12 2 0 0 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

6
10/6/02

**MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) REGULAR SESSION**

Bill No.489 (COR)

A. R. Unpingco
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MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) REGULAR SESSION

Bill No.489 (COR)

Introduced by:

- A. R. Unpingco
- L F. Kasperbauer
- F. B. Aguon, Jr.
- E. C. Bermudes
- A. C. Blaz
- J. M.S. Brown
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