The Honorable Edward J.B. Calvo
Acting Speaker
Mina’ Bente Nuebi Na Lihesluran Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is 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”, which I signed into law on October 25, 2007 as Public Law 29-32.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga’låhen Guåhan
Governor of Guam

Attachment: copy of Bill

c: The Honorable Ray Tenorio
    Senator and Legislative Secretary
October 15, 2007

The Honorable Felix P. Camacho
I Maga’lahen 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)
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 10th day of October 2007, duly and regularly passed.

Attested:

Edward J.B. Calvo  
Acting Speaker

Ray Tenorio  
Senator and Secretary of the Legislature

This Act was received by I Maga’lahen Guåhan this 15 day of Oct., 2007, at 12:45 o'clock P.M.

APPROVED:

FELIX P. CAMACHO  
I Maga’lahen Guåhan

Date: 25 October 2007

Public Law No. 29-32
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. Ishizaku
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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan finds that often voters cannot easily leave their place of employment to cast their votes at polling sites during Election Day. This was a concern that a number of Guam residents expressed in the most recent elections as they experienced difficulty getting away from their work responsibilities to exercise their right to vote. In
addition, persons with disabilities and the elderly often find it difficult to secure transportation, or at times find certain polling sites difficult to access in order for them to cast their vote on the day of the election. Providing for early voting will increase voter participation in the election process by enabling the voter to choose the day and time convenient for casting his/her vote prior to the actual Election Day.

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

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

It is therefore, the intent of *I Liheslaturan Guåhan* to provide for greater voter participation in elections through the provision of early voting service to the community, increasing the public notification of the option for early voting, and insuring greater accessibility for the people of Guam to exercise their right to vote and to properly select their leaders island wide.
Section 2. A new §10129, Early Voting Service to the Community, is hereby added to Chapter 10, Title 3, Guam Code Annotated, to read as follows:

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

Thereupon, the Commission shall deliver a ballot for early voting to any qualified elector applying in person at the office of said Commission; provided, however, that such applicant shall complete a simple affidavit that will be attached to the envelope in which the ballot shall be placed. The Guam Election Commission shall be tasked with the creation of the simple affidavit, which will be utilized in the verification process of the individual who had voted. The early voting process shall commence upon the completion of the printing of the official ballots, but not more than thirty (30) days nor less than one (1) day before the date of the election for which the vote is being cast. Said early voting services shall be provided and made available to the community, at a minimum, during the normal working hours of the Commission office. Said early voting ballot shall be immediately marked, enclosed in the ballot envelope, placed in the return envelope with the proper affidavit attached, and immediately returned to the Commission. The Commission shall insure the confidentiality and
security of said envelope and ballot, in addition to maintaining custody of
said documents as provided for in this Chapter.

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

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

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

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