



Office of the Governor of Guam

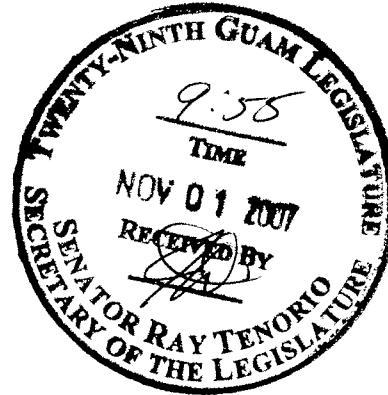
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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

30 OCT 2007

The Honorable Edward J.B. Calvo
Acting Speaker
Mina' Bente Nuebi Na Liheslaturan 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,

Handwritten signature of Felix P. Camacho

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

Attachment: copy of Bill

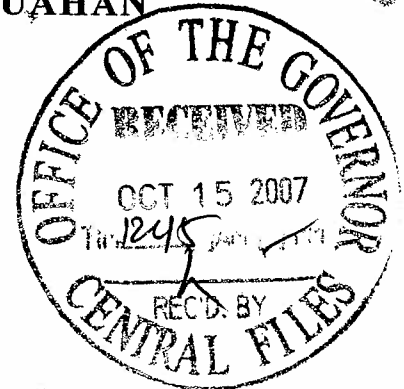
cc: The Honorable Ray Tenorio
Senator and Legislative Secretary

29.07.1053 1052
Office of the Speaker
MARK FORBES
Date: 10/30/07
Time: 4:30
Rec'd by: Roland Blas
Print Name: [Signature]



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'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

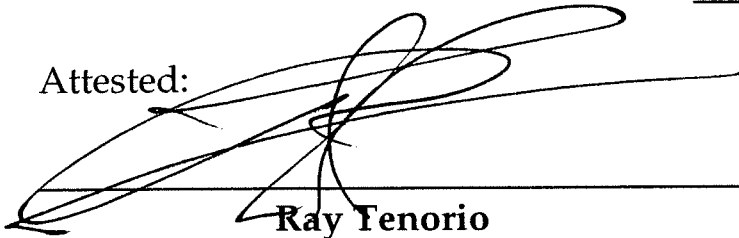
Enclosures (16)

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

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:



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 day of Oct., 2007, at 1245 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 25 October 2007

Public Law No. 29-32

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.”