

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
190-38 (COR)	Telo T. Taitague	AN ACT TO <i>ADD</i> A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.	9/12/25 2:14 p.m.	9/15/25 4:49 p.m.	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request: 9/15/25 Waiver: 9/19/25	9/26/25 1:00 p.m.	10/22/25 As Amended.	Exhibit A



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

The Honorable Frank F. Blas Jr.
Speaker

I Mina'trentai Ocho na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

VIA: Honorable Vice Speaker V. Anthony Ada 
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 190-38 (COR) - As Amended

Buenas yan Håfa adai, Speaker Blas,

Transmitted herewith is the Committee Report on Bill No. 190-38 (COR), As Amended by the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement- *Introduced by Telo T. Taitague*- "AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED."

Committee votes are as follows:

<u>1</u>	TO DO PASS
<u> </u>	TO NOT PASS
<u>4</u>	TO REPORT OUT ONLY
<u> </u>	TO ABSTAIN
<u> </u>	TO PLACE IN INACTIVE FILE

Sincerely,



TELO T. TAITAGUE
Chairperson



COMMITTEE ON RULES

RECEIVED:

October 13, 2025 9:39 a.m.
Marie Crisostomo
Revisions Received:
October 20, 2025 5:06 p.m.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

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senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE REPORT

Bill No. 190-38 (COR), As Amended

Introduced by Telo T. Taitague

*“AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6
OF THE GUAM ADMINISTRATIVE RULES AND
REGULATIONS, RELATIVE TO ADOPTING THE
UPDATED GUAM ELECTION MANUAL, PURSUANT
TO CHAPTER 9, TITLE 5, GUAM CODE
ANNOTATED.”*



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

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Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

MEMORANDUM:

TO: All Members
*Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement*

FROM: Senator Telo T. Taitague
Committee Chairperson

SUBJECT: Committee Report on Bill No. 190-38 (COR)- As Amended

Transmitted herewith for your consideration is the Committee Report on **Bill No. 190-38 (COR), As Amended** by the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement-*Introduced by Telo T. Taitague – AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.*

This report includes the following:

- Copy of COR Referral of Bill No. 190-38 (COR)
- Notice of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Written Testimonies and Additional Documents
- Committee Vote Sheet and E-mails
- Committee Report Digest
- Copy of Bill No. 190-38 (COR), As Introduced
- Copy of Bill No. 190-38 (COR), As amended
- Copy of Bill No. 190-38 (COR), Committee Markup
- Copy of Fiscal Note Waiver from the Bureau of Budget & Management Research

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!

Senator Telo T. Taitague - Chairperson



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

September 15, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 190-38 (COR)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 190-38 (COR)** –Telo T. Taitague. – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.”

Please ensure that the subject bill is referred to the Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement chaired by Senator Telo T. Taitague. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





FIRST NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

19 September 2025 at 08:33

To: phnotice@guamlegislature.gov

Cc: Ed Pocaigue <sgtfarms@guamlegislature.gov>

Bcc: senatortelot.charissa@gmail.com, Isah Peredo <senatortelot.isah@gmail.com>, senatortelot.alana@gmail.com, Rowena Fejeran <senatortelot.rowena@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>

September 19, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **FIRST NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.**

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on **Friday, September 26, 2025 at 1:00 p.m.** in the Guam Congress Building, Public Hearing Room. The Committee will hear and accept testimonies on the following agenda items:

I. **Bill No. 185-38 (COR)** – Introduced by Telo T. Taitague – “AN ACT TO AMEND § 3110 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AS ENACTED BY PUBLIC LAW 38-32 RELATIVE TO THE TERM OF APPOINTMENT FOR REGISTRATION CLERKS.”

II. **Bill No. 189-38 (COR)** – Introduced by Telo T. Taitague – “AN ACT TO REPEAL AND REENACT CHAPTER 3, TITLE 6, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND ADOPT THE ATTACHED EXHIBITS A, EXHIBIT B AND EXHIBIT C, RELATIVE TO UPDATING THE GUAM ELECTION COMMISSION ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES RULES AND REGULATIONS AND REPORT FORMS.”

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If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague at senatortelot@gmail.com or call (671) 989-8356. Testimony and other documents related to the agenda items can be viewed at: **Friday, September 26, 2025 Public Hearing Folder**. The drive file is updated as testimony is received.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodation, including virtual attendance via Zoom, should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan*'s live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>.

A recording of the hearing will be available online via the Guam Legislature Media YouTube Channel after the hearing. Notices for this public hearing are published on KUAM TV, and the Government of Guam Public Notice Portal.

Sì Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

4 attachments



First Notice of Public Hearing- Friday, September 19, 2025 at 1PM.pdf

293K



Bill No. 185-38 (COR).pdf

1434K



Bill No. 189-38 (COR).pdf

1006K



Bill No. 190-38 (COR).pdf

1531K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Senator Telo Taitague <senatortelot@gmail.com>

19 September 2025 at 08:41

Hafa Adai, posted on calendar.

[Quoted text hidden]



Edward S. Pocaigue, Jr.

Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guåhan

Guam Congress Building, 1st Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910



1-671-969-3514



sgtarms@guamlegislature.gov

"Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the individual responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and immediately delete any copies you may have received. Thank you."



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 19, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **FIRST NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.**

Håfa Adai!

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The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>.

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FIRST NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.

 PRINT

**FIRST NOTICE of Public Hearing – Friday,
September 26, 2025 at 1:00 p.m.**

PUBLIC HEARING



 **Posted on:** 09/19/2025 07:00 AM

 **Posted by:** Charissa Manibusan, Committee Director

 **Public Hearing Date:** 09/26/2025 01:00 PM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

September 19, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: FIRST NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on **Friday, September 26, 2025 at 1:00 p.m.** in the Guam Congress Building, Public Hearing Room. The Committee will hear and accept testimonies on the following agenda items:

I. **Bill No. 185-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills Introduced 38th/Bill%20No.%20185-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20185-38%20(COR).pdf)) – Introduced by Telo T. Taitague – “AN ACT TO AMEND § 3110 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AS ENACTED BY PUBLIC LAW 38-32 RELATIVE TO THE TERM OF APPOINTMENT FOR REGISTRATION CLERKS.”

II. **Bill No. 189-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills Introduced 38th/Bill%20No.%20189-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20189-38%20(COR).pdf)) – Introduced by Telo T. Taitague – “AN ACT TO REPEAL AND REENACT CHAPTER 3, TITLE 6, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND ADOPT THE ATTACHED EXHIBITS A, EXHIBIT B AND EXHIBIT C, RELATIVE TO UPDATING THE GUAM ELECTION COMMISSION ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES RULES AND REGULATIONS AND REPORT FORMS.”

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills Introduced 38th/Bill%20No.%20190-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20190-38%20(COR).pdf)) – Introduced by Telo T. Taitague – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9 TITLE 5 GUAM CODE ANNOTATED ”

FOR CORRELATION TO CHAPTERS, TITLES, GOVERNMENT CODE ANNEXATED.

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague at senatortelot@gmail.com

(<mailto:senatortelot@gmail.com>) or call (671) 989-8356.

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New Order

Revised/Add-On

Info. Update

Advertiser Name

Office of Senator Telo Taitague - 38th Guam

Legislature

Address

Suite 407 DNA Bldg; 238 Archbishop Flores

St.

Hagatna, Guam 96910

Point of Contact

Charissa Manibusan

Order Number

Order Entry Date

Customer PO #

2538PO198

Product Code

RECEIVABLES ACCOUNT

☒ Cash ☐ Trade ☐ Other

ORDER DESCRIPTION

PRODUCTION INFORMATION

Cart #

Title:

Length:

FOR INTERNAL PURPOSES ONLY

Media Consultant

Christie SA

Notary Required

YES

☒

NO

Billing

Per Spot

Package

☒

Trade

Station	Inc Acct	Rate	Start Date	End Date	AbsTime/Prog. Event	Length	Spot Type	Cart #	M	T	W	TH	F	SA	SU	Per Wk	Total #	Total \$
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KUAM TV

1x :15 Second Commercial on TV8 or TV11 from 7am - 5:59pm - First Notice (Air date: 09/19/25)

1x :15 Second Commercial on TV8 or TV11 from 7am - 5:59pm - First Notice (KUAM Match)

1x :15 Second Commercial on TV8 or TV11 from 7am - 5:59pm - Second Notice (Air date: 09/24/25)

1x :15 Second Commercial on TV8 or TV11 from 7am - 5:59pm - Second Notice (KUAM Match)

1x :15 Second TV Production (text and music bed only)

Contract for Public Hearing on September 26, 2025; 1st and 2nd Notice

MONTHLY TOTALS

Jan		Feb		Mar		Apr		May		June	
July		Aug		Sep	500	Oct		Nov		Dec	

SPECIAL INSTRUCTIONS

ORDER TOTALS

Total Spots	PKG
Total Dollars	\$ 500.00

TV COMMERCIAL FORMAT: We ask that all commercials be formatted to originate in HD 1920x1080 and conform to a 4x3 pillar for Title Safe dimensions for graphics. These will be downconverted on our SD channels. Should a commercial spot be produced in SD, it should be formatted in 720x486 DI format resolution and will be upconverted on HD Channels (DOCOMO 608 and 611).

RESTRICTIONS: 48-hour deadline is KUAM's quality control to ensure that your advertisement airing meets the highest standards. If there is a rush, KUAM is not responsible for quality and standard concerns on behalf of the client.

PAYMENT IS DUE UPON RECEIPT OF NOTICE. In the event of cancellation of this contract prior to its scheduled expiration date and/or failure to remit payment of invoice[s] within 60 days of invoice date, all spots that have run prior to the cancellation date and/or schedules adhered to will be billed at the Rate Card. Client understands and agrees that a finance charge of 10% per month shall accrue on all accounts remaining unpaid one [1] month after invoice date. Client agrees to pay a USD\$25.00 service fee per returned check. There will be a 5% surcharge for all credit card transactions. If payment is not made as required, KUAM may, its option, without notice or demand payment, declare Client's credit account in default, in which case Client's entire balance[s] that are due and payable will be forwarded for collection. Client agrees to accept all consequences and to pay all costs, including attorney's fees, court fees, court costs and other expenses incurred as deemed necessary by KUAM to settle the account.

NON DISCRIMINATION CLAUSE: KUAM/Pacific Telestations, LLC does not discriminate on the basis of race or ethnicity in the placement, scheduling and completion of purchase of advertising. Any order for advertising that includes any such restriction will not be accepted.

CManibusan

ACCEPTED BY CLIENT

Christie San Agustin

ACCEPTED BY STATION



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senartortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

NOTICE OF PUBLIC HEARING
Guam Legislature, Public Hearing Room
Friday, September 26, 2025 at 1:00 p.m.

AGENDA

The Committee will hear and accept testimony at 1:00 p.m. on the following:

- I. Bill No. 185-38 (COR)** - Telo T. Taitague- "AN ACT TO AMEND § 3110 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AS ENACTED BY PUBLIC LAW 38-32 RELATIVE TO THE TERM OF APPOINTMENT FOR REGISTRATION CLERKS."
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OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

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Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

The public is invited to provide testimony on the agenda item at the Guam Legislature, Public Hearing Room. Virtual attendance using the Zoom platform is available for persons requiring accommodations, and on a case-by-case basis. Legislative protocol for virtual hearings must be adhered to. Please contact the Office of Senator Telo T. Taitague at senatortelot@gmail.com or call (671) 989-8356 for more information.

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This ad is paid for by legislature funds.



SECOND NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

24 September 2025 at 08:52

To: phnotice@guamlegislature.gov

Cc: Ed Pocaigue <sgtarms@guamlegislature.gov>

Bcc: Rowena Fejeran <senatortelot.rowena@gmail.com>, senatortelot.charissa@gmail.com, senatortelot.alana@gmail.com, Isah Peredo <senatortelot.isah@gmail.com>

September 24, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **SECOND NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.**

Håfa Adai!

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II. **Bill No. 189-38 (COR)** – Introduced by Telo T. Taitague – “AN ACT TO REPEAL AND REENACT CHAPTER 3, TITLE 6, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND ADOPT THE ATTACHED EXHIBITS A, EXHIBIT B AND EXHIBIT C, RELATIVE TO UPDATING THE GUAM ELECTION COMMISSION ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES RULES AND REGULATIONS AND REPORT FORMS.”

III. **Bill No. 190-38 (COR)** – Introduced by Telo T. Taitague – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.”

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Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com



Second Notice of Public Hearing- Friday, September 26, 2025 at 1PM.pdf

293K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Senator Telo Taitague <senatortelot@gmail.com>

24 September 2025 at 08:54

Hafa Adai,

Calendar updated

[Quoted text hidden]



Edward S. Pocaigue, Jr.

Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guåhan

Guam Congress Building, 1st Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910



1-671-969-3514



sgtarms@guamlegislature.gov

"Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the individual responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way

using this message. If you have received this communication in error, please notify the sender and immediately delete any copies you may have received. Thank you."



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 24, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **SECOND NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.**

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on **Friday, September 26, 2025 at 1:00 p.m.** in the Guam Congress Building, Public Hearing Room. The Committee will hear and accept testimonies on the following agenda items:

- I. [Bill No. 185-38 \(COR\)](#) – Introduced by Telo T. Taitague – “AN ACT TO AMEND § 3110 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AS ENACTED BY PUBLIC LAW 38-32 RELATIVE TO THE TERM OF APPOINTMENT FOR REGISTRATION CLERKS.”
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SECOND NOTICE of Public Hearing – Friday, September 26, 2025 at 1:00 p.m.

 PRINT

**SECOND NOTICE of Public Hearing – Friday,
September 26, 2025 at 1:00 p.m.**

PUBLIC HEARING



 **Posted on:** 09/24/2025 08:41 AM

 **Posted by:** Charissa Manibusan, Committee Director

 **Public Hearing Date:** 09/26/2025 01:00 PM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

September 24, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

**Subject: SECOND NOTICE of Public Hearing – Friday,
September 26, 2025 at 1:00 p.m.**

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills Introduced_38th/Bill%20No.%20189-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20189-38%20(COR).pdf)) – Introduced by Telo T. Taitague – “AN ACT TO REPEAL AND REENACT CHAPTER 3, TITLE 6, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND ADOPT THE ATTACHED EXHIBITS A, EXHIBIT B AND EXHIBIT C, RELATIVE TO UPDATING THE GUAM ELECTION COMMISSION ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES RULES AND REGULATIONS AND REPORT FORMS.”

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FOR CORRELATION TO CHAPTERS, TITLES, GOVERNMENT CODE ANNEXATED.

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague at senatortelot@gmail.com

(<mailto:senatortelot@gmail.com>) or call (671) 989-8356.

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Senator Telo Taitague <senatortelot@gmail.com>

GEC Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR)

1 message

Senator Telo Taitague <senatortelot@gmail.com>

17 September 2025 at 10:20

To: Maria Pangelinan <maria.pangelinan@gec.guam.gov>

Cc: Tom San Agustin <tom.sanagustin@gec.guam.gov>, Christiana Ramirez <ana.ramirez@gec.guam.gov>

Bcc: Isah Peredo <senatortelot.isah@gmail.com>

September 17, 2025*Transmitted via Electronic Mail*

Maria Pangelinan, Executive
Director
Guam Election Commission (GEC)
maria.pangelinan@gec.guam.gov

Subject: Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR):*Hafa Adai* Executive Director Pangelinan,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Friday, September 26, 2025 at 1:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

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I respectfully request your presence to provide testimony and answer questions from the senate

panel. Written testimony may also be submitted prior to the hearing via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague
38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
Tel: (671) 989-8356
Email: senatortelot@gmail.com

5 attachments



GEC Invite to Friday, September 26, 2025 1PM Public Hearing.pdf
700K



AGENDA- Friday, September 26, 2025, 1PM Public Hearing.pdf
101K



Bill No. 189-38 (COR).pdf
1006K



Bill No. 185-38 (COR).pdf
1434K



Bill No. 190-38 (COR).pdf
1531K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 17, 2025

Transmitted via Electronic Mail

Maria Pangelinan, Executive Director
Guam Election Commission (GEC)
maria.pangelinan@gec.guam.gov

Subject: Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR):

Hafa Adai Executive Director Pangelinan,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Friday, September 26, 2025 at 1:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

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Respectfully


Senator Telo T. Taitague
Chairperson



Charissa Manibusan <senatortelot.charissa@gmail.com>

PUBLIC HEARING INVITATION: Friday, September 26, 2025 at 1:00 p.m.

1 message

Senator Telo Taitague <senatortelot@gmail.com>

Thu, Sep 18, 2025 at 11:07 AM

To: "bjcruz@guamopa.com" <bjcruz@guamopa.com>

Cc: Vincent Duenas <vduenas@guamopa.com>, kconcepcion@guamopa.com

Bcc: senatortelot.charissa@gmail.com

September 18, 2025

Transmitted via Electronic Mail

Benjamin J.F. Cruz, Public Auditor

Office of Public Accountability

bjcruz@guamopa.com**Subject:** Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR):*Hafa Adai* Public Auditor Cruz:

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Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

[238 Archbishop Flores St.](#)

[Hagatna, Guam 96910](#)

Tel: (671) 989-8356

Email: senatortelot@gmail.com

4 attachments



Bill No. 189-38 (COR).pdf

1006K



Bill No. 190-38 (COR).pdf

1531K



Bill No. 185-38 (COR).pdf

1434K



OPA Invitation to Public Hearing-Friday, Sept. 26, 2025, 1PM.pdf

362K



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 18, 2025

Transmitted via Electronic Mail

Benjamin J.F. Cruz, Public Auditor
Office of Public Accountability
bjcruz@guamopa.com

Subject: Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR):

Hafa Adai Public Auditor Cruz:

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Kindest regards,

TELO T. TAITAGUE
Chairperson

Attachments: Copies of Bill No. 185-38 (COR), 189-38 (COR), 190-38 (COR)



Charissa Manibusan <senatortelot.charissa@gmail.com>

PUBLIC HEARING INVITATION: Friday, September 26, 2025 at 1:00 p.m.1 message

Senator Telo Taitague <senatortelot@gmail.com>

Thu, Sep 18, 2025 at 11:40 AM

To: vote@gopguam.org

Cc: Office of Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Bcc: senatortelot.charissa@gmail.com

September 18, 2025

Transmitted via Electronic MailSenator Shawn Gumataotao, Chairperson
Republican Party of GuamThelma Hechanova, First Vice Chair
Republican Party of Guam
vote@gopguam.org**Subject:** Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR)*Hafa Adai* Chair Gumataotao and Vice Chair Hechanova:

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Friday, September 26, 2025 at 1:00 p.m.** in the Guam Congress Building, Public Hearing room, to accept testimony on the following agenda items:

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Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

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GOP Invitation to Public Hearing-Friday, Sept. 26, 2025, 1PM.pdf
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OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
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(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 18, 2025

Transmitted via Electronic Mail

Senator Shawn Gumataotao, Chairperson
Republican Party of Guam

Thelma Hechanova, First Vice Chair
Republican Party of Guam
vote@gopguam.org

Subject: Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR)

Hafa Adai Chair Gumataotao and Vice Chair Hechanova:

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Kindest regards,

TELO T. TAITAGUE
Chairperson



Charissa Manibusan <senatortelot.charissa@gmail.com>

PUBLIC HEARING INVITATION: Friday, September 26, 2025 at 1:00 p.m.

1 message

Senator Telo Taitague <senatortelot@gmail.com>

Thu, Sep 18, 2025 at 11:27 AM

To: democraticpartyofguam@gmail.com, Rikki Orsini <rikki.orsini@guam.gov>

Cc: anthony.chargualaf.jr@mcog.guam.gov

Bcc: senatortelot.charissa@gmail.com

September 18, 2025

Transmitted via Electronic Mail

Mayor Anthony Chargualaf, Chairperson

Democratic Party of Guam

democraticpartyofguam@gmail.com

Rikki Orsini, Vice Chairperson

Democratic Party of Guam

rikki.orsini@guam.gov**Subject:** Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR)*Hafa Adai* Chair Chargualaf and Vice Chair Orsini:

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Friday, September 26, 2025 at 1:00 p.m.**, in the Guam Congress Building, Public Hearing room, to accept testimony on the following agenda items:

- I. **[Bill No. 185-38 \(COR\)](#)** – Introduced by Telo T. Taitague – “AN ACT TO AMEND § 3110 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AS ENACTED BY PUBLIC LAW 38-32 RELATIVE TO THE TERM OF APPOINTMENT FOR REGISTRATION CLERKS.”
- II. **[Bill No. 189-38 \(COR\)](#)** – Introduced by Telo T. Taitague – “AN ACT TO REPEAL AND REENACT CHAPTER 3, TITLE 6, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND ADOPT THE ATTACHED EXHIBITS A, EXHIBIT B AND EXHIBIT C, RELATIVE TO UPDATING THE GUAM ELECTION COMMISSION ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES RULES AND REGULATIONS AND REPORT FORMS.”
- III. **[Bill No. 190-38 \(COR\)](#)** – Introduced by Telo T. Taitague – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.”

I respectfully request your presence to provide testimony and answer questions from the senate panel. Written testimony may also be submitted prior to the hearing via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague, Suite 407 DNA Building [238 Archbishop Flores St, Hagåtña, Guam 96910](#). Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

**Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

4 attachments



DPOG Invitation to Public Hearing-Friday, Sept. 26, 2025, 1PM.pdf
362K



Bill No. 189-38 (COR).pdf
1006K



Bill No. 190-38 (COR).pdf
1531K



Bill No. 185-38 (COR).pdf
1434K



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 18, 2025

Transmitted via Electronic Mail

Mayor Anthony Chargualaf, Chairperson
Democratic Party of Guam
democraticpartyofguam@gmail.com

Rikki Orsini, Vice Chairperson
Democratic Party of Guam
rikki.orsini@guam.gov

Subject: Invitation to provide testimony on Bill Nos. 185, 189, and 190-38 (COR)

Hafa Adai Chair Chargualaf and Vice Chair Orsini:

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Friday, September 26, 2025 at 1:00 p.m.**, in the Guam Congress Building, Public Hearing room, to accept testimony on the following agenda items:

- I. Bill No. 185-38 (COR) – Introduced by Telo T. Taitague – “AN ACT TO AMEND § 3110 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AS ENACTED BY PUBLIC LAW 38-32 RELATIVE TO THE TERM OF APPOINTMENT FOR REGISTRATION CLERKS.”**
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- III. Bill No. 190-38 (COR) – Introduced by Telo T. Taitague – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.**

I respectfully request your presence to provide testimony and answer questions from the senate panel. Written testimony may also be submitted prior to the hearing via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague, Suite 407 DNA Building 238 Archbishop Flores St, Hagåtña, Guam 96910. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Kindest regards,

TELO T. TAITAGUE
Chairperson



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING AGENDA

Friday, September 26, 2025, at 1:00 p.m.

Guam Congress Building, Public Hearing Room

The Committee will hear and accept testimony on the following:

I. [Bill No. 185-38 \(COR\)](#) – Introduced by Telo T. Taitague – “AN ACT TO AMEND § 3110 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AS ENACTED BY PUBLIC LAW 38-32 RELATIVE TO THE TERM OF APPOINTMENT FOR REGISTRATION CLERKS.”

II. [Bill No. 189-38 \(COR\)](#) – Introduced by Telo T. Taitague – “AN ACT TO REPEAL AND REENACT CHAPTER 3, TITLE 6, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND ADOPT THE ATTACHED EXHIBITS A, EXHIBIT B AND EXHIBIT C, RELATIVE TO UPDATING THE GUAM ELECTION COMMISSION ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES RULES AND REGULATIONS AND REPORT FORMS.”

III. [Bill No. 190-38 \(COR\)](#) – Introduced by Telo T. Taitague – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING SIGN-IN SHEET

Friday, September 26, 2025, 1:00 P.M.
Public Hearing Room, Guam Congress Building

BILL NO. 190-38 (COR) – Telo T. Taitague – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.”

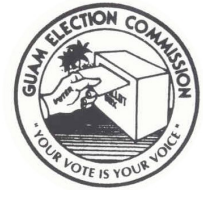
NAME:	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. <i>Maria Pangeliban</i>	<i>GEC</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☒	
2.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
3.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
5.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
8.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
9.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
10.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



GUAM ELECTION COMMISSION

Kumision Ileksion Guåhan

Your **VOTE** is your voice. ✓ **BOTA** ya un ma kuenta.



September 26, 2025

Honorable Telo T. Taitague
Chairperson

Honorable Chris M. Barnett
Vice-Chairman

Committee on Economic Investment, Military Buildup, Regional Relations,
Technology, Regulatory Affairs, Justice, Elections and Retirement
I Mina'trentai Ocho' Na Liheslaturan Guåhan
Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910

Hafa Adai. Madam Chairwoman and Mr. Vice-Chairman,

Si Yu'os ma'åse' for the opportunity to provide testimony on Bill 190-38. The bill introduces the proposed updates to the Election Manual of Guam. The Election Manual, originally created in 2015, has been reviewed and updated to strengthen and clarify the administration of our island's electoral process. The proposed legislation ensures that GEC has ample time to implement these updates in its training materials as it prepares for the 2026 elections.

At its public meeting on April 14, 2025, the Guam Election Commission (GEC) Board of Commissioners approved these updates. In compliance with 5 GCA § 9303(a)(4), the GEC transmitted the proposed changes to I Maga'håga Guåhan and the Attorney General on June 27, 2025, and both offices have since provided their approval. The estimated economic impact of the proposed changes does not exceed the Five Hundred Thousand Dollar (\$500,000) threshold established under the Administrative Adjudication Act.

While the Election Manual was being updated, new voter registration laws were enacted. In concert with the Legislature, the GEC remains committed to strengthening the administration of elections and is preparing for future improvements and respectfully requests the following amendments be considered:

Amendments:

When to Register (Pg. 13)

Registration at the Guam Election Commission's main office shall be in progress during all office hours Monday-Friday 8:00 am- 5:00pm except for holidays. During District Voter Registration, twenty-one (21) days prior to any election, voter registration at the GEC's main office as well as at the Village Mayor's Offices will be open until 8:00 pm. The last day to register to vote is fifteen (15) ~~ten (10)~~ days prior to any election. Transferring districts is prohibited between the Primary and General Elections.

241 Farenholt Ave. • Oka Bldg. Ste. 202 • Tamuning, Guam 96913

671. 477.9791 (tel) • 671. 477.1895 (fax)

vote@gec.guam.gov (e-mail) • www.gec.guam.gov (website)

Cessation (Volunteer Registrars Pg. 17)

All Volunteer Registrars shall cease their registration process twenty-one (21) days prior to an election or upon dismissal. All registrars shall account for all supplies and materials issued to them and return to the Commission.

Any Volunteer Registrar who does not return supplies and materials twenty-one (21) days prior to an election, or upon dismissal, ~~will be sent a letter allowing a three (3) day grace period to comply. If the supplies and materials are not returned to the Commission after the grace period, the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.~~ will be given five (5) days after the close of registration to comply. If the supplies and materials are not returned to the Commission after five (5) days, the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.

SOURCE: Law governing 3GCA §§§ 3110, 3114, 3115

Times for Registration (Pg. 17)

District registration shall begin twenty-one (21) days prior to an election and shall continue until fifteen (15) ~~ten (10)~~ days prior to an election. Hours of operation shall be Monday to Friday from 4:00P.M. to 8:00P.M.

SOURCE: Best Practice since September 2012

Cessation (District Registrars Pg. 17)

All District Registrars shall cease their registration process fifteen (15) ~~ten (10)~~ days prior to any election or upon dismissal. All registrars shall account for all supplies and materials issued to them and return to the Commission.

Any District Registrar who does not return supplies and materials fifteen (15) ~~ten (10)~~ days prior to an election, or upon dismissal, ~~will be sent a letter allowing a three (3) day grace period to comply. If the supplies and materials are not returned to the commission after the grace period, the commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.~~ will be given five (5) days after the close of registration to comply. If the supplies and materials are not returned to the Commission after five (5) days, the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.

SOURCE: Law governing 3 GCA § 3104

Pre Registration (Pg.12)

~~Newly enacted Public Law 33-12-3~~ GCA § 3102(c) provides that every person that meets all eligibility requirements to register and is sixteen (16) years of age or older, may pre-register to vote. The registration of an individual who has pre-registered to vote will be deemed effective on the date the registrant will be eighteen (18) years of age. Pre-registrants must provide current information if the information provided on their pre-registration is no longer current on the date their registration would be deemed effective.

SOURCE: Law governing 3 GCA § 3102 (c)

Online Registration (Pg. 13)

Any qualified person who has a valid Guam driver's license or Guam identification card may submit a voter registration application online at the Guam Election Commission's website at www.gec.guam.gov.

SOURCE: Law governing 3GCA §3102.1

When to File ~~Petitions~~ (Pg. 27)

Notwithstanding any other provision of law, candidates for I Liheslaturan Guåhan, offices of I Maga'láhen Guåhan [Governor] and I Segundu Na Maga'láhen Guåhan [Lieutenant Governor], Washington Representative, Mayor and Vice-Mayor, shall file their nomination petition papers and all other required documents with the Commission no earlier than one hundred sixty (160) days before the primary election, and no later than ninety (90) days before the primary election. Notwithstanding any other provision of law, candidates for the Attorney General of Guam, Public Auditor, Guam Education Board and the Consolidated Commission on Utilities shall file their declarations of candidacy with the Commission no earlier than one hundred sixty (60) ~~thirty (130)~~ days before the general election, and no later than ninety (90) ~~sixty (60)~~ days before the general election.

SOURCE: Law governing 3 GCA § 6108

Further, the GEC anticipates the use of electronic pollbooks in the 2026 election cycle to replace paper signature rosters. As required by the election code, the GEC will conduct an island wide education campaign to ensure that our voters are informed, comfortable, and confident in utilizing this technology and current best practices.

Si Yu'os ma'åse'. We are here to address questions as it pertains to the conduct of elections.

Sinseramente,



MARIA I.D. PANGELINAN
Executive Director



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

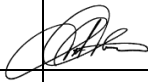
Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 190-38 (COR), As Amended by the Committee - Introduced by Telo T. Taitague- *“AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.”*

COMMITTEE MEMBERS	SIGNATURE/ DATE SIGN	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Telo T. Taitague Chairperson	 10/10/25	✓				
Senator Darrel Christopher Barnett Vice Chairperson	E-vote 10/10/25			✓		
Senator Sabina F. Perez Member	E-vote 10/10/25			✓		
Senator Therese M. Terlaje Member						
Senator Shelly V. Calvo Member	E-vote 10/10/25			✓		
Speaker Frank F. Blas, Jr. Member	E-vote 10/13/25			✓		



REQUEST FOR E-VOTE: BILL NO. 190-38 (COR)- AS AMENDED

5 messages

Senator Telo Taitague <senatortelot@gmail.com>

10 October 2025 at 16:14

To: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>
Cc: Alana Ungacta <senatortelot.alana@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

Håfa Adai Committee Members,

Please see the attached Committee Report on **Bill No. 190-38 (COR), As Amended - Introduced by Telo T. Taitague** – “AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.”

Please indicate your preferred action, based on the following options:

_____ TO DO PASS;
_____ TO NOT PASS;
_____ TO REPORT OUT ONLY;
_____ TO ABSTAIN;
_____ TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. Your responses will be logged into the Committee Vote Sheet for **Amended Bill No. 190-38 (COR)**. Should you have any questions, please do not hesitate to contact our office.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague
38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
Tel: (671) 989-8356
Email: senatortelot@gmail.com



Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

10 October 2025 at 16:24

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Speaker Frank Blas, Jr."

<speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>,

Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, Alana Ungacta

<senatortelot.alana@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Rowena Fejeran

<senatortelot.rowena@gmail.com>

Hafa Adai,

To Report Out Only

Si Yu'us Ma'ase

[Quoted text hidden]

--



The Office of Senator Chris Barnett

I Mina'trentai Ocho Na Liheslaturan Guåhan

Suite 202 · Calvo- Arriola Building · 259 Martyr St. · Hagåtña, Guam 96910

(671)969-3586 · malafunkshun@guamlegislature.gov

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Office Senator Perez <office.senatorperez@guamlegislature.gov>

10 October 2025 at 17:02

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje

<senatorterlajeguam@gmail.com>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly

Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Alana Ungacta <senatortelot.alana@gmail.com>, Isah Peredo

<senatortelot.isah@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

To report out only.

On Fri, Oct 10, 2025 at 4:14 PM Senator Telo Taitague <senatortelot@gmail.com> wrote:

[Quoted text hidden]

Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

10 October 2025 at
17:33

To: Office Senator Perez <office.senatorperez@guamlegislature.gov>

Cc: Senator Telo Taitague <senatortelot@gmail.com>, Senator Darrel Christopher Barnett

<malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Speaker Frank Blas, Jr."

<speakerblas@guamlegislature.gov>, Alana Ungacta <senatortelot.alana@gmail.com>, Isah Peredo

<senatortelot.isah@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

Hafa Adai,

To Report Out Only

Si Yu'os Ma'åse

Respectfully,



Office of the People • Senator Shelly V. Calvo

Majority Whip & Chairwoman

Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation & Hagåtña Restoration

38th Guam Legislature

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 989-5682

E officeofsenatorshellycalvo@guamlegislature.gov

[Quoted text hidden]

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

13 October 2025 at 08:05

To: Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Cc: Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

To Report Out Only



Speaker, Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña

(671)969-6456

speakerblas@guamlegislature.gov

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[Quoted text hidden]



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
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COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 190-38 (COR) was introduced on Friday, September 12, 2025, by Senator Telo T. Taitague. **Bill No. 190-38 (COR)** was referred by the Committee on Rules to the Committee on *Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement*, on Monday, September 15, 2025. The Committee convened a public hearing on Friday, September 26, 2025, at 1:00p.m. in the Guam Congress Building, Public Hearing Room.

Public Notice Requirement:

In compliance with Open Government Law, a five (5) day public notice of this hearing was published on Friday, September 19, 2025, and a forty-eight (48) hour notice was published on Wednesday, September 24, 2025, on KUAM-TV and on the Guam Public Notice Website. Notices were also sent to all senators, and all main media broadcasting outlets via email on the same dates.

Senators Present:

Senator Chris Barnett, Vice Chairperson for Technology, Retirement, and Elections
Senator Telo Taitague, Chairperson
Senator Shawn Gumataotao

Appearing Before the Senate Panel:

Maria Pangelinan, Executive Director, Guam Election Commission

Written Testimony Submitted:

Maria Pangelinan, Executive Director, Guam Election Commission

II. **SUMMARY OF TESTIMONY & DISCUSSION**

Committee Report Digest- Bill No. 190-38 (COR)

Public Hearing held- Friday, September 26, 2025, 1:00 p.m.

YouTube Link: <https://www.youtube.com/live/pY452nIEiyI?si=4JdkdRWcqmsveDOj>

The Public Hearing was Called-to-Order at 1:05pm. Bill No. 190-38 (COR), "AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED." was the third item on the agenda.

SENATOR CHRIS BARNETT, VICE CHAIRPERSON: We'll now move on to the third and final item on the agenda. Bill No. 190-38 (COR) introduced by Senator Telo Taitague, AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.

On the fiscal note, Bill No. 190-38 received a fiscal note waiver from BBMR noting that the proposed amendment is administrative in nature and poses no additional fiscal impact upon any funds of the government of Guam in fiscal year 2025. An initial review of the bill was conducted by the legislature's legal counsel with no recommendations at this time but the bill remains under review.

A public hearing invitations were sent to the following to provide testimony on the measure. The Guam Election Commission, the Office of the Public Auditor, the Democratic Party of Guam, and the Republican Party of Guam. I'd also like to read the following statement from the Chair of the committee. [Reads statement into the record]

Thank you for attending today's hearing on Bill No. 190-38. I also want to extend my sincere gratitude to the Guam Election Commission Director, Maria Pangelinan, the hardworking GEC staff, and the members of the public present. In particular, I want to thank the commission for their tireless work to review, update, and modernize our election rules and regulations and the election manual. Your diligence and professionalism made this legislation possible.

Bill 190-38 (COR) was introduced on behalf of the GEC in pursuant to the administrative adjudication law. The bill advances a simple and important goal to adopt the GEC's updated election manual as our governing rules for administering elections pursuant to 3GCA subsection 21104. The update reflects years of lessons learned and public feedback. It clarifies what our election officials must do, strengthens accountability, and makes it easier for every eligible voter to participate in our elections with confidence. The benefits are concrete. The manual modernizes early and absentee voting by providing clearer guidance for early on voting, vote centers, and spoiled ballot handling, and the 10-day absentee window so lines move faster, records are cleaner, and results are more auditable. It elevates accessibility by setting out a dedicated accessible voting process consistent with best practices so voters with disabilities receive timely assistance without confusion. It improves transparency by standardizing forms,



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inventories, and close of night reconciliations, clarifying media and photography protocols, and establishing an administrative complaints process so issues are documented and addressed. In short, the bill replaces ambiguity with checklists and chain of custody, reducing errors, disputes, and provisional ballots. The bill also honors the process. The GEC vetted these updates. The attorney general reviewed them for constitutionality and substantial compliance.

And today's hearing allows us to take public testimony, surface any fiscal impacts for training, signage, and IT support, and sequence implementation responsibly within available resources where stakeholders recommend refinements. I'm open to committee amendments by strengthening public trust and easing the transition. Our elections belong to the people of Guam. By adopting this updated manual, we make them cleaner, more accessible, and more secure. I respectfully ask my colleagues' support on behalf of the chair to advance Bill No. 190-38.

And we will now receive testimony on Bill No. 190 starting with and probably finishing with the Executive Director Pangelinan *si Yu'os ma'åse'*.

MARIA PANGELINAN, EXECUTIVE DIRECTOR, GUAM ELECTION COMMISSION

(GEC): Bill 190-38 introduces the proposed update to the election manual of Guam. The election manual, originally created in 2015, has been reviewed and updated to strengthen and clarify the administration of our island's electoral process. The proposed legislation ensures that GEC has ample time to implement these updates in its training materials as it prepares for the 2026 elections. At its public meeting on April 14th, 2025, the Guam Election Commission approved these updates.

In compliance with the AAA process, the GEC transmitted the proposed changes to *I Maga Hagan Guåhan*, and the Attorney General on June 27, 2025, and both offices have since provided their approval. The estimated economic impact of the proposed changes does not exceed the \$500,000 threshold established under the AAA process.

While the election manual was being updated, new voter registration laws were enacted in concert with the legislature. The GEC remains committed to strengthening the administration of elections and is continuing to prepare for future improvements and respectfully request the following amendments be considered on the Election Manual. The election manual is made up of over 70 pages, and so:

1. On page 1 as it addresses when to register, the GEC recommends that the last day to register be changed from 15 days to 10 days prior to any election. I want to make it clear that we're requesting that the change be made from 10 to 15 days so that it's consistent with the Code, and that's on page 13.
2. On page 17, we want to substitute instead of a three-day grace period for the voter registrar to submit all the materials and supplies, we want to give them 5 days before any negative action is taken on them. That means if they don't return it on the deadline, that the deadline would be 21 days before an election, then they will be given five (5) days of grace period instead of the three (3) days that is there now, and to report their names to the Attorney General.
3. On page 17 again to be consistent we want the times of registration to be within 15 days of an election instead of the 10 days.
4. We want on page 17 again, the cessation of district registration, we want the district registration to close in 15 days rather than 10 days. And we will want to give the district registrars five (5) days of grace period instead of the three (3) that's there now.
5. On page 12, the Public Law 33-12 is now codified into the 3GCA § 3102 and that's the only change we want on that section where instead of citing Public Law 33-12, we will now want to replace it with 3 GCA Section 3102(c).
6. Finally, on page 13 with regard to online registration, we want to put this section in, any qualified person who has a valid Guam driver's license or Guam identification card may submit a voter registration application online at the Guam Election Commission's website at www.gec.guam.gov.
7. I'm sorry, the final one is just to change when candidates file and that's on page 27. Instead of 130 days, candidates can file for the Attorney General, the Public Auditor, the Guam Education Board, and the Consolidated Commission on Utilities 160 days before the General Election and no later than 90 days before the General Election. This will be their deadline.

So, with all these changes, we want the people of Guam to know that the Guam Election Commission anticipates the use of electronic poll books for the 2026 election cycle to replace paper signature rosters as required by the election code. We want to assure the voters of Guam that the GEC will conduct an island wide education campaign to ensure that our voters are informed, comfortable, and confident in utilizing this technology and further improvement with current best practices. *Si Yu'os ma'åse'.*

SENATOR CHRIS BARNETT, VICE CHAIRPERSON: *Si Yu'os ma'åse'* Director Pangelinan. At this time, I'd like to recognize Senator Telo Taitague on the Zoom for any questions on the bill, Madam Chair? Unmute.



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SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay there you go. Thank you, Mr. Chair. I don't have very many questions on this. Just one major question: are all the amendments that Maria that you provided in your testimony are any of these amendments outside of what we've already passed into law that's in the Guam Code Annotated currently?

MARIA PANGELINAN, EXECUTIVE DIRECTOR, GUAM ELECTION COMMISSION (GEC): None ma'am. What we do is we operate within and we take the mandates; those are what we call the laws. We take it and as the best practices become available, Senator, we take those and we see how they can best fit or if they fit with our Guam election processes. No, none of them go against the code. Everything we have, everything that we're proposing is within code, and everything we're proposing as our esteemed employees of the Guam Election Commission, as they come up, to make their jobs easier and to make the election processes of Guam much better.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Yeah, and also you know to have that same parallel review, having it in the GARR as well as the Guam Code Annotated is very important, so there's no misunderstanding. Other than that, I thank you so much for your hard work on this because I know it did take some time to put this together and greatly appreciate it and I will do my best to try and get this on the next session.

In the meantime, we will set up a markup meeting as well. That's going to be very important. I will allow ample time for any of the public out there who have any questions or want to provide additional testimony to this. But I think this bill should be very easy because it's just like you said, mirroring the Guam code. Other than that, thank you, Mr. Chair, and thank you, Maria, and Tom and your staff that are there. I greatly appreciate all their hard work.

SENATOR CHRIS BARNETT, VICE CHAIRPERSON: *Si Yu'os ma'åse'* Madam Chair. At this time, I'd like to recognize Senator Gumataotao for any questions. Senator.

SENATOR SHAWN GUMATAOTAO: Yes. Thank you, Mr. Chair, and thank you again, Maria, for testifying. For the record, I want to just share that I currently serve as the Chairman for the Republican Party of Guam. The Republican Party of Guam under the laws and our

rules and bylaws do appoint members to the Board of Commissioners of the Guam Election Commission. They currently are Jerry Crisostomo, Benny Pinaula, and Antonia Gumataotao. Again, this is in line with all of the proper rules and regulations. If I can for the record also mention just so we can get it out there, during that April 14th, 2025 meeting that you referenced in your testimony, according to the minutes, I just want to share that it was Commissioner Benny Pinaula, who moved to accept the updates to the election manual, subject to including the requirements to registration and absentee ballots imposed by President Donald J. Trump's executive order preserving and protecting the integrity of American elections. That was seconded by commissioner Toni Gumataotao as well. The motion unanimously carried and they were able to send that to us as what we are dealing with today.

I only have one question and it's to clarify how do the provisions of Public Law 38-32 that was enacted in June of 2025 reconcile with the proposed election manual recognizing that Section 6 of Public Law 38-32 requires that within 15 calendar days after any election, the commission shall count the provisional voter's choices for every race for which the voter was eligible to vote. Whereas the election manual provides that within 10 days after an election when the voter's application shall have been satisfactorily completed and deemed valid, the provisional ballot shall be counted.

MARIA PANGELINAN, EXECUTIVE DIRECTOR, GUAM ELECTION COMMISSION (GEC): It needs to be changed to 15 days. So, Senator Shawn, what's happened in the past is that the old law says that we have to count those provisional ballots within 10 work days. So, imagine that the provisional voter has seven work days to clear their provisional ballot. Like if they didn't bring in their ID on election day, they have to come, then the Guam Election Commission has up to the 10th day only to vet all the provisional ballots. Then we have to count on that last day. So, giving us the 15 days gives us a little bit more time to vet those, and at the markup session where Senator Telo will invite us, we will ensure that that's also corrected.

SENATOR SHAWN GUMATAOTAO: All right. Thank you so much. And considering my deep experience with that provisional or that little experience with the provisional counting, I totally get it. Thank you again GEC for all that you do and thank you Mr. Chair for your time today.

SENATOR CHRIS BARNETT, VICE CHAIRPERSON: *Si Yu'os ma'åse*, Senator Gumataotao. Director Pangelinan, and I know that, well, I want to thank you for the amendments but I also wanted to ask, are there specific problems or gaps in the 2015 manual that the new manual will update and/or solve? And are you able to cite any specific examples from prior elections?



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MARIA PANGELINAN, EXECUTIVE DIRECTOR, GUAM ELECTION COMMISSION (GEC): There are some; for example, how the ballots are printed. And so, we were thinking of striking it all out. But in 2015 we were doing offset printing. Now with the new machines we can simply print. I don't know all the stuff, but we can print them ourselves and we print them in-house. There are other things that- and this is the dilemma- we have as we learn of best practices in the election industry, we tend to bring it up to the commissioners. The commissioners look at what's best for the Guam elections and we want to put it in place, and we do. Unfortunately, with the requirement for the election manual to go through the AAA process there's a lag time where these best practices are not incorporated into the election manual. So, we've had discussions with Senator Telo's office with regard to this issue about best practices coming up lagging behind the AAA process that's required for the election manual.

SENATOR CHRIS BARNETT, VICE CHAIRPERSON: *Si Yu'os ma'åse* Director Pangelinan and again, I want to commend the hardworking Guam Election Commission staff. We got to commend you guys plenty because of the election next year and so you are very commended and recognized and appreciated for all your hard work.

And just to the viewing public again, thank you for watching. And so, the intent with a lot of these bills, at least the intent should be to make it easier for not only the Guam Election Commission to conduct free and fair elections, but also to make it easier for the people of Guam to come out and cast their ballots. You know, previous laws have made it easy to register to vote. And you know, whether or not that's beneficial to the process or the people, I think remains to be seen because what's ended up happening is we have a record number of registered voters but we're seeing record lows in the turnout.

And so again, I want to reiterate my call to candidates out there to don't be shy about putting your hat in the ring. Don't be shy about running for office. I'll tell you in my little experience as a senator, one thing that we're lacking in public service is people with the perspective that reflects the needs and wants of the grassroots people. So, especially to the grassroots candidates out there. Don't be shy. If you need help learning about the process, the Guam Election Commission is standing by. But more importantly, it's the people of Guam who need

help in terms of being served by individuals who have the same perspective as our grassroots hardworking people do. We need more hands in here that raise the right issues.

So, I want to again encourage candidates, anybody who's thinking about it, if you need help, you know, let us know. We will help you too. And we definitely need help in the legislature in terms of having a body that's more representative of the people we serve. And by saying that I don't necessarily mean by ethnicity or that type of demographic. I mean people who struggle who have challenges with day-to-day life. Those are the kind of perspectives that we need inside this public hearing room and across at the Session Hall. So, let's do it, brake fluid!

And again, Director Pangelinan *si Yu'os ma'åse'* for your testimony and your insight today, as well as your staff, Ms. Ramirez and Mr. San Agustin.

Si Yu'os ma'åse, Senator Gumataotao for your attendance. Madam Chair, thank you again for the opportunity to chair the hearing today. And if there's no one else who would like to provide testimony, we'll consider Bill No. 190-38 (COR) duly heard by the committee. The committee will continue to accept written testimonies on today's hearing within 5 business days from today which may be mailed to the office at 238 Archbishop Flores Street Suite 407 of the DNA building in Hagåtña.

You can also send your written testimony to the committee chair's office via email senatortelot@gmail.com. That's senatortelot@gmail.com. *Si Yu'os ma'åse* for your participation. This hearing is now adjourned. The time is 2:30 p.m. Chamorro standard time. In the words of Madame Chair, create a great day. *Guahu si Senadot* Chris "Malafunkshun" Barnett. *Biba betnes!* Please have a safe and fun weekend my dear people of Guam, *esta adios!*

Public Hearing Adjourned at: 2:30 p.m.

III. FINDINGS & RECOMMENDATIONS

Bill No. 190-38 (COR), introduced by Senator Telo T. Taitague, seeks to adopt the updated Guam Election Manual by adding a new Chapter 5 to Title 6 of the Guam Administrative Rules and Regulations (GARR). The measure was introduced on behalf of the Guam Election Commission (GEC) pursuant to the Administrative Adjudication Act (AAA) process. The purpose is to formalize and modernize Guam's election rules to align with statutory updates, clarify procedures, and incorporate lessons learned since the manual's original adoption in 2015.



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The Committee finds that bill supports greater transparency, accessibility, and accountability in Guam's elections by codifying the GEC's updated procedures for early and absentee voting, accessible voting for individuals with disabilities, standardization of forms, chain of custody requirements, and improved reconciliation and complaint procedures.

Maria Pangelinan, Executive Director of the Guam Election Commission, provided oral and written testimony in strong support of Bill No. 190-38 (COR). She explained that the updated manual:

- Reflects statutory changes and best practices in election administration;
- Has been reviewed and approved by both the Attorney General and *I Maga'hågan Guåhan* in compliance with the AAA process; and
- Carries no economic impact exceeding the \$500,000 threshold established under the AAA.

Director Pangelinan outlined several recommended technical amendments to ensure internal consistency between the Election Manual and Guam law, including:

- Adjusting voter registration deadlines from 10 to 15 days before elections;
- Extending the grace period for district registrars to submit materials from 3 to 5 days;
- Codifying references to 3 GCA §3102(c) in place of Public Law 33-12;
- Clarifying the online voter registration process for those with Guam driver's licenses or IDs; and
- Extending candidate filing periods for the Attorney General, Public Auditor, GEB, and CCU from 130 to 160 days before a General Election.

Director Pangelinan noted that the GEC plans to implement electronic poll books for the 2026 election, replacing paper rosters and committing to an island-wide voter education campaign.

Vice Chairperson Barnett praised the GEC's efforts to modernize elections and discussed the need to improve voter participation despite record registration levels. He

expressed appreciation for GEC's professionalism and encouraged broader public engagement in electoral processes.

Chairperson Taitague commended the GEC for its diligence and clarified that the bill is consistent with existing law, ensuring alignment between the GARR and the Guam Code Annotated. She confirmed that a markup meeting would be scheduled to review technical corrections and allow additional public input before moving the bill to session.

Senator Shawn Gumataotao disclosed his role as Chair of the Republican Party of Guam and referenced the GEC's April 14, 2025 meeting, where the updated manual was approved. He raised a technical question on reconciling Public Law 38-32's 15-day provisional ballot count requirement with the manual's 10-day provision. Director Pangelinan confirmed that the manual would be amended to reflect the 15-day standard, consistent with the law.

The Committee finds that Bill No. 190-38 (COR) is administrative and procedural in nature, consistent with Chapter 9 of Title 5, Guam Code Annotated. The measure fulfills the requirements of the Administrative Adjudication Act, having been duly approved by the Attorney General and transmitted by the GEC. The proposed updates reflect statutory alignment, enhance election integrity, and promote efficiency and accessibility for voters. The technical amendments proposed by the GEC were incorporated by the Committee during markup for consistency and clarity.

The Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement hereby reports our **Bill No. 190-38 (COR, As Amended- Introduced by Senator Telo Taitague, "AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ADOPTING THE UPDATED GUAM ELECTION MANUAL, PURSUANT TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED,"** with the recommendation [To Report Out Only](#).

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 190-38 (COR)

Introduced by:

Telo T. Taitague 

**AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF
THE GUAM ADMINISTRATIVE RULES AND
REGULATIONS, RELATIVE TO ADOPTING THE
UPDATED GUAM ELECTION MANUAL, PURSUANT
TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Election Commission (GEC), pursuant to its authority under 3 GCA § 2104, proposed updates to the Guam Election Manual. The proposed updates were reviewed and approved by the GEC Board of Commissioners during its board meeting held on April 14, 2025. In compliance with the procedural requirements of the Administrative Adjudication Law, the approved updates were later submitted to the Office of *I Magan'hågan Guåhan* and the Office of the Attorney General on June 27, 2025.

Following their review, both the Office of *I Magan'hågan Guåhan* and the Office of the Attorney General approved the proposed updates. The Attorney General determined that the revisions were constitutional, consistent with statutory authority, and in substantial compliance with the requirements of 5 GCA Chapter 9. The Attorney General found that the agency record satisfied most procedural elements but lacked documentation of website posting and advance public availability of the cost assessment. Despite these technical gaps, the Attorney General concluded that the Guam Election Commission had substantially complied

1 with the law and recommended either conducting an additional public hearing or
2 proceeding with formal adoption.

3 On September 2, 2025 the approved updates were transmitted to the Office of
4 the Speaker of *I Liheslaturan Guåhan*. Upon receipt, the proposed updates were
5 referred to the Committee on *Economic Investment, Military Buildup, Regional*
6 *Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement* on
7 September 11, 2025. In accordance with 5 GCA § 9303(b), the Committee
8 introduced the measure on September 12, 2025 and subsequently scheduled a
9 public hearing to receive testimony on the proposed updates to the Guam Election
10 Manual.

11 The proposed Guam Election Manual, attached hereto as Exhibit A, provides
12 comprehensive administrative guidance for the conduct of elections in Guam. It
13 outlines updated procedures for candidate filings, campaign finance reporting,
14 enforcement protocols, complaint resolution, and public transparency measures. The
15 revisions aim to enhance clarity, strengthen compliance, and align the Commission's
16 operations with statutory mandates under Title 3 of the Guam Code Annotated. Key
17 improvements include streamlined filing instructions, clarified enforcement
18 mechanisms, improved definitions, and adjustments to reporting timelines and
19 thresholds. The manual also incorporates provisions to support digital submission
20 processes and public access to election-related information. These updates are
21 intended to improve consistency, accountability, and accessibility for candidates,
22 political committees, and the public.

23 **Section 2. Adoption.** Therefore, it is the intent of *I Liheslaturan Guåhan* to
24 formally adopt the revised Guam Election Manual, attached hereto as Exhibit A
25 entitled "Guam Election Manual."

26 **Section 3. Effective Date.** This Act shall be effective upon enactment.



"EXHIBIT A"

A light green map of Guam is positioned behind the text.

GUAM ELECTION COMMISSION

Kumision Ileksion Guåhan

Your vote is your voice.
Bota ya un ma kuenta.

ELECTION MANUAL

*Administrative procedures, rules, regulations, and forms to be used in the
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ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Commissioners

The Commissioners

The Commission shall consist of seven (7) members, all of whom shall be eligible voters on the date of their appointment. I Maga'lahaen Guåhan (the Governor) shall appoint six (6) members from recommendations made by the recognized political parties of Guam. Each of the recognized political parties, via duly passed resolution, shall recommend an equal number of names to I Maga'lahaen Guåhan and the six (6) members appointed by I Maga'lahaen Guåhan shall be appointed so that the recognized political parties are equally represented. If at any time there are more than three (3) recognized political parties, the six (6) members appointed by I Maga'lahaen Guåhan shall be appointed so that no more than two (2) of such members shall be members of the same recognized political party.

One (1) member shall be selected and appointed by the six (6) members appointed by I Maga'lahaen Guåhan. The appointment of the seventh (7th) member of the Commission shall be ratified by at least four (4) members.

Each member shall serve for a term of two (2) years, or until his or her successor is duly qualified and appointed. If a vacancy should occur on the Commission, said vacancy shall be filled for the remainder of the term only, and by the method originally prescribed for its appointment. No member may be an elected official of the government nor a candidate or nominee for an elected office within the government.

SOURCE: Law governing 3 GCA § 2101

Duties and Responsibilities

The Commission shall have direct and immediate supervision over the municipal and district Officials designated in accordance with the laws of Guam to perform duties relative to the conduct of elections. The Commission may suspend from the performance of said duties any of said Officials who fail to comply with its instructions, orders, decisions or rulings, and appoint substitutes; and the Commission shall remove any such Officials who have been found guilty of nonfeasance or misfeasance in connection with the performance of their duties relative to the conduct of elections.

The Commission shall designate such subordinate officers and employees as may be necessary for the efficient performance of its functions and duties, each of whom, if not already employed by the government, shall receive a salary to be determined in accordance with the laws of Guam.

As early as is reasonably possible, but not later than June 30 in each odd-numbered year, the Commission shall prepare and deliver an annual report to I Maga'lahaen Guåhan, the Speaker of I Liheslaturan Guåhan, and the chairperson of the legislative committee with jurisdiction over matters of elections, showing, with respect to the preceding Fiscal year:

1. Recommendations of the Commission as to amendments or supplementation of laws affecting elections or the office of the Commission; and
2. Statistical information regarding the elections conducted during the Fiscal year.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

The Commission shall promulgate rules, pursuant to 5 GCA Chapter 9, necessary and convenient to carry out the provisions of this Title. The Commission shall cause to be prepared an election manual and administrative procedures to be used in the conduct of elections. Said administrative procedures shall include the handling of absentee ballots, voter registration procedures, methods for gathering election results from precinct levels to the central tabulation area, and procedures to be followed at the central tabulation area.

SOURCE: Law governing 3 GCA § 2103

■ Executive Director

The Commission shall appoint an Executive Director who shall administer the election laws of Guam and shall perform and discharge all of the powers, duties, purposes, functions and jurisdiction hereunder, or which hereafter by law may be vested in the Commission in accordance with the rules of the Commission, and subject to the right of appeal to the Commission.

The Executive Director shall be the ex-officio secretary for the Commission, but shall not be a voting member thereof. As such secretary, the Executive Director shall keep the minutes of the Commission's proceedings, preserve all reports made to it, keep a record of all examinations held under its direction, and perform such other duties as the Commission shall prescribe.

SOURCE: Law governing 3 GCA § 2102

■ Guam Election Commission Staff

Subordinate officers of the Commission are designated by the Commission necessary for the effective and efficient performance of its functions and duties including, but not limited to: voter registration, voter outreach, precinct official activities, tabulation activities, and the enforcement of Title 3 GCA, the Election Code of Guam.

SOURCE: Law governing 3 GCA § 2103(b)

Note: All Guam Election Commission employees shall read and sign the Confidentiality Agreement (Form EC) as a condition of employment.

■ Precinct Board

Each member of a precinct board shall be a registered voter of the district in which they are appointed and shall serve only in the precinct for which they are appointed; however, the Commission may appoint any individual to serve regardless of his or her voting precinct, as the Commission deems necessary.

SOURCE: Law governing 3 GCA § 4105

Any person who cannot read or write the English language shall be deemed ineligible. Any nominee for an elective office, or a parent, grandparent, spouse, sibling, child, grandchild, or in-law of a candidate is automatically disqualified as a precinct official. In any event, the Commission shall appoint any registered voter to take the place of a person being disqualified.

SOURCE: Rule governing 6 GARR § 1102

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Appointment

The GEC extends the opportunity to and invites the recognized political parties on Guam to submit an equal number of nominees to serve as Precinct Officials. In the event that the recognized political parties do not submit a sufficient number of nominees required, the Commission extends similar opportunities and invites participation from among other registered voters within the general public.

Guam election laws require Precinct Officials to abide by the rules, regulations, and all procedures promulgated by the Commission.

SOURCE: Rule governing 6 GARR §1101

Oath

No person shall act as a member of a precinct board until he or she has taken the oath as prescribed in this Election Manual. The following oath must be taken by all members of the precinct board in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a voter of the district of _____; that I can read and write the English language; that I am not holding, nor am I a nominee for, an elective office; that I am not a parent, grandparent, spouse, sibling, child, grandchild, or in-law of a candidate in the district in which I am being appointed; and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge the duties of the office of _____ on the Precinct Board for Precinct # in the District of _____ to the best of my ability.

Precinct Officials are administered the Oath of Office and, from then on, any voter who has been appointed as a member of a precinct board, and having taken the oath of office, fails to act as such without lawful or sufficient reason approved by the Commission is guilty of a misdemeanor.

SOURCE: Law governing 3 GCA § 4106 and 6 GARR § 1104

Organizational Structure and Responsibilities

The Precinct Board consists of one (1) Leader and four (4) Clerks. The Precinct Leader has supervisory authority among the Precinct Clerks to ensure that the election process is carried out in an organized and efficient manner. To ensure the smoothest conduct possible throughout Election Day, the GEC expects, and the voters of Guam deserve, courteous and proper decorum at all times. The Commission encourages Precinct Officials to work cooperatively as a team throughout Election Day. If requested, the Leader may assist voters to enter the voting booth, direct them to deposit their ballots in the assigned ballot box(es), and exit promptly when Finished. The Precinct Leader should monitor the voting area at all times to ensure that voters do not loiter. Any questions or concerns that may arise should be communicated directly to the Commission.

Clerks are to assist the Precinct Leader. Clerks shall verify and ‘line out’ a voter’s name on the Original Voter Signature Roster and ensure that voters sign the roster in the correct section. They shall announce the voter’s name, issue ballots to voters, and give voting

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

instructions. They also direct or assist voters into voting booths, if necessary. Two clerks, along with the Leader, will decide any outcome of any challenge issued at the polls. In the absence of the Leader, a Clerk or assigned substitute, shall assume the position of Precinct Leader.

Precinct Officials are responsible for carrying out the election process in the polling places. As such, the procedures prescribed in their handbook must be followed in order to successfully abide by Guam's election laws.

Training

Under the Election Code of Guam, members of the Precinct board must attend training conducted by the GEC. In order to comply with the training requirements, members of the Precinct Board must undergo four (4) hours of training and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- ☐ Opening the Polls
- ☐ Voting Procedures
- ☐ Assisting Voters with Disabilities
- ☐ Processing Absentee Ballots
- ☐ Accessible Voting
- ☐ Processing Provisional Voters
- ☐ Processing Voter Challenges
- ☐ Processing Administrative Complaints
- ☐ Closing the Polls

SOURCE: Law governing 3 GCA § 4105

The duties and requirements for the members of the Precinct Board on Election Day shall be detailed in the Precinct Official Manual. The manual shall be available at the GEC main office, and to the members of the Precinct board on Election Day.

Dismissal

A Precinct Official is subject to dismissal if he/she: (1) refuses to follow directions (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as prescribed in the Election Manual, (5) commits any violations of the Election Code of Guam.

SOURCE: Law governing 3 GCA § 4109

■ Registrars (District Registrars and Volunteer Registrars)

To qualify as a Voter Registrar an individual must:

- 1) Be a registered voter of Guam;
- 2) Not be holding an elective office;
- 3) Not be a candidate for office;

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

- 4) Not be an immediate relative of an elected official or candidate. (Immediate relative means grandmother, grandfather, mother, father, son, daughter, grandchild, wife, husband, and/or in-law);
- 5) Be able to follow instructions;
- 6) Be able to attend an instructional seminar;
- 7) Be able to pass a standardized examination of the election laws; and
- 8) Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

SOURCE: Law governing 3 GCA § 3110

Appointment

Pursuant to 3 GCA §§ 3109 & 3110, the Guam Election Commission (GEC) has the authority to appoint voter registrars in preparation for any election. The term of appointment shall commence any time prior to an election and shall cease ten (10) days prior to any election. The GEC is responsible for the appointment of Voter Registrars. All registrars are supervised and responsible solely to the Guam Election Commission for election matters

Oath

The following oath must be taken by Voter Registrars in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge my duties as a Voter Registrar to the best of my ability. All Election Commission records entrusted to me will be returned to the office of the Guam Election Commission by _____.

SOURCE: Law governing 3 GCA § 3110

Duties and Responsibilities

Voter Registrars are tasked with assisting the Guam Election Commission in populating its voter registry and decolonization registry. All voter registrars are responsible for ensuring that every applicant is eligible to vote under the Election Code of Guam, collecting voter information for processing, properly completing the required forms, and the complete return of all election documents entrusted to them.

Training

Under the Election Code of Guam Voter Registrars must attend training conducted by the GEC. In order to comply with the training requirements, Voter Registrars must obtain two (2) hours of training and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- Rules for Determining Residency

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

- ☐ Properly Execute Affidavit of Registration
- ☐ Voter Transfer and Changes
- ☐ Reporting Periods
- ☐ Voter Cancellation

SOURCE: Law governing 3 GCA § 3110(a)

The Voter Registrar Manual shall detail the duties and requirements for all Volunteer and District Registrars. The manual shall be available at the GEC main office, and to every Volunteer and District Registrar deputized by the Guam Election Commission.

Dismissal

A Registrar is subject to dismissal if he/she: (1) refuses to register a qualified resident; (2) consistently makes errors; (3) allows the Affidavits to be executed by anyone other than with a deputized registrar; (4) loses the Affidavit(s) of registration; (5) registers anyone who is not a U.S. citizen or anyone not within the provisions set out in 3 GCA § 3101; or (6) otherwise violates any other portion of the Election Code.

■ **Deputized Homebound Officials**

Qualifications

To qualify as a Deputized Homebound Official, an individual must:

1. Be a registered voter of Guam;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate (Immediate relative means grandmother, grandfather, mother, father, son, daughter, grandchild, wife, husband, and/or in-law).
5. Be able to follow instructions;
6. Be able to attend an instructional seminar;
7. Be able to pass a standardized examination of the election laws; and
8. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Appointment

Pursuant to 3 GCA § 10113, the GEC extends its authority to deputize individuals to assist in conducting the Homebound Absentee Voting Procedures for any election. The Deputized Homebound Officials will carry out the day-to-day homebound voting program as prescribed by the GEC.

Oath

The following oath must be taken by all Deputized Homebound Officials in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge my duties as a Deputized Homebound Official to the best of my ability. All Election Commission records and ballots entrusted to me will be returned to the office of the Guam Election Commission at the end of every day.

Organizational Structure and Responsibilities

Deputized Homebound Officials (DHOs) are primarily broken down into teams of either two (2) or three (3), depending on the availability of party representatives. The teams are comprised of either two (2) Deputized Homebound Officials or one (1) Deputized Homebound Official and two (2) party representatives – one (1) representative per party. In the event that a party is unable to provide a homebound party representative, the party representative present may accompany two (2) Deputized Homebound Officials.

Deputized Homebound Officials are responsible for hand-carrying and notarizing the Affidavit Envelopes and keeping inventory of all Official Balloting Materials. The DHOs are to carry out and explain the Homebound Voting Procedures, as instructed by the GEC, to the Homebound Voter. If at any time a Homebound Official is unable to continue with the process, the process will cease for that team. It is the responsibility of the Homebound Official to inform the GEC if such a situation does arise. Not later than 6:00pm of every day, all Deputized Homebound Officials must submit all Official Balloting Materials to the GEC. Failure to do so will result in prosecution by the Attorney General's Office as prescribed by law. Homebound Officials are not to speak in favor of or against any candidate while carrying out the homebound voting process. They must stay neutral while carrying out their Homebound Official duties.

Training

Deputized Homebound Officials (DHO) must attend a two (2) hour training conducted by the GEC, and pass a standardized examination of the election laws of Guam.

The Deputized Homebound Officials (DHO) Manual shall detail the duties and requirements for all DHO. The manual shall be available at the GEC main office, and to every DHO deputized by the Guam Election Commission.

Dismissal

A Deputized Homebound Official is subject to dismissal if he/she: (1) refuses to follow directions, (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as prescribed in the Homebound Official Manual, (5) commits any violations of the Election Code of Guam.

■ Poll Maintenance Workers

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

The GEC customarily hires one individual staff member from the facility in which the election is to be held to help maintain polling sites. Responsibilities may include but are not limited to:

- ☐ Opening polling facility
- ☐ Ensuring walkways are clear
- ☐ Ensuring there is adequate lighting
- ☐ Ensuring restrooms are open and maintained
- ☐ Assisting precinct Officials with any maintenance issues within their precincts

■ Tabulators

Qualifications

To qualify as a Tabulator, an individual must:

1. Be a registered voter of Guam;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate. (Immediate relative means grandmother, grandfather, mother, father, son, daughter, grandchild, wife, husband, and/or in-law).
5. Be able to follow instructions; and
6. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Appointment

The Commission may appoint such persons as may be necessary for the manual tabulation of ballots and/or for the operation of the vote tabulating device, and to keep watch on such tabulation for any possible illegal vote or any error or omission on the part of the persons tabulating the ballots or operating the vote tabulating device.

SOURCE: Law governing 3 GCA § 11109

Oath

The following oath must be taken by all Tabulators in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge my duties Tabulator to the best of my ability. All Election Commission records and ballots entrusted to me will be returned to the office of the Guam Election Commission.

Duties and Responsibilities

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Tabulators are responsible for assisting the Guam Election Commission at the Election Return Center on election night. Responsibilities may include but are not limited to:

- ☐ Assisting with the setup of Election Center
- ☐ Directing precinct Officials to appropriate stations
- ☐ Properly completing required forms
- ☐ Monitor Tabulation Equipment
- ☐ Tabulating cast ballots (by hand or machine)
- ☐ Securing Election Center

Dismissal

A Tabulator is subject to dismissal if he/she: (1) refuses to follow directions (2) consistently makes errors, (3) fails to carry out his/her duties, (4) or commits any violations of the Election Code of Guam.

■ Site Support Coordinators

To qualify as a Site Support Coordinator, an individual must:

1. Be a registered voter of Guam in the district he/she is assigned;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate. (Immediate relative means grandmother, grandfather, mother, father, son, daughter, grandchild, wife, husband, and/or in-law);
5. Be able to follow instructions;
6. Be able to attend an instructional seminar;
7. Be able to pass a standardized examination of the election laws; and
8. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Oath

The following oath must be taken by all Site Support Coordinators in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a voter of the district of _____; that I can read and write the English language; that I am not holding, nor am I a nominee for, an elective office; that I am not a parent, grandparent, spouse, sibling, child, grandchild, or in-law of a candidate in the district in which I am being appointed; and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge the duties of the office of Site Support Coordinator for the District of _____ to the best of my ability.

Duties and Responsibilities

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Site Support Coordinators duties include but not limited to setting up the polling place preserving order, monitoring voting equipment and assisting the Precinct Officials in carrying out their duties. Additionally, they shall also act as greeters guiding voters to their appropriate precincts within the polling place.

Training

A Site Support Coordinator must attend a four (4) hour training conducted by the GEC, and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- ☐ Opening the Polls
- ☐ Voting Procedures
- ☐ Assisting Voters with Disabilities
- ☐ Processing Absentee Ballots
- ☐ Accessible Voting
- ☐ Processing Provisional Voters
- ☐ Processing Voter Challenges
- ☐ Processing Administrative Complaints
- ☐ Closing the Polls

The duties and requirements for Site Support Coordinators on Election Day shall be detailed in the Precinct Official Manual. The manual shall be available at the GEC main office, and to all Site Support Coordinators on Election Day.

Dismissal

A Site Support Coordinator is subject to dismissal if he/she: (1) refuses to follow directions, (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as prescribed in the Precinct Official Manual, (5) commits any violations of the Election Code of Guam.

■ Poll Watchers/Homebound Representatives

Directors or Deputy Directors of the Executive Branch of Government of Guam, Administrative Directors or Assistant Administrative Directors of the Legislature or Judicial Branch, or Administrative Aids or Assistants to Senators, or any elected official shall not serve as a poll watcher.

SOURCE: Board Policy: 10/4/1983

Duties and Responsibilities

Each recognized political party and a representative of an independent candidate whose name appears on the ballot, if any, may have no more than one (1) observer present to witness the conduct of the election and to challenge any voter. Such observers are hereby prohibited from interfering with the precinct board at any time during the conduct of the election, and shall not be permitted within the precinct barricade.

SOURCE: Law governing 3 GCA § 9114

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

1 The duties of a poll watcher are: (1) ensure that the precinct Officials are administering their
2 duties properly; (2) issue voter challenges; and (3) monitor voter participation.

3 *Homebound Representatives*

4 Members of a political party may accompany Commission staff or Deputized Homebound
5 Officials who deliver absentee ballots to the homes of sick and disabled voters. Upon entering
6 the homes of any absentee voters, the Commission staff member or deputized homebound
7 Officials must identify his/herself and the homebound representative from the political
8 parties.

9 *Removal*

10 Poll Watchers/Homebound Representatives are subject to removal if he/she (1) interferes
11 with the precinct Officials/deputized homebound Officials, (2) solicits or speak to a voter
12 regarding the marking of his/her ballot, (3) wears any articles (i.e. emblems, t-shirts, hats
13 etc.) signifying a political affiliation to a party or candidate(s), (4) any violations of the poll
14 watcher guidelines, or (5) commits any violation of the Election Code of Guam.

Voter Registration

The purpose of voter registration in Guam is to allow qualified citizens the right to vote. It is the responsibility of the Guam Election Commission and its election Officials to ensure that every eligible elector can participate in the democratic process.

■ Qualifications to Register:

In order to register to vote, an individual:

1. Must be a U.S. citizen
2. Must be eighteen (18) years of age or older on or before Election Day
3. Must be a resident of Guam
4. Must not be confined to a mental institution
5. Must not be judicially declared insane
6. Must not be committed under a sentence of imprisonment

SOURCE: Law governing 3 GCA § 3101

■ Pre-Registration

Newly enacted Public Law 33-12 provides that every person that meets all eligibility requirements to register and is sixteen (16) years of age or older, may pre-register to vote. The registration of an individual who has pre-registered to vote will be deemed effective on the date the registrant will be eighteen (18) years of age. Pre-registrants must provide current information if the information provided on their pre-registration is no longer current on the date their registration would be deemed effective.

Residency

Guam law provides that each person's residency is to be determined individually; that is, no person's residency shall conclusively determine the residency of that person's spouse or child. The following rules should be prescribed in determining an individual's residency:

1. The residency of a person is that place where that person lives for a period of at least thirty (30) days, maintains that person's home and to which, whenever that person is absent, that person has the bona Fide intention to return. For voting purposes, a person may have only one (1) residence. Indicia of residence on Guam shall include, but not be limited to, payment of Guam personal income taxes, maintaining a home or other living accommodation on Guam, having temporarily departed Guam with the intention of returning, and not being registered to vote in any other U.S. jurisdiction since departing Guam.
2. A person does not gain residency on Guam, or any voting district, from which that person comes unless that person intends to establish a permanent dwelling place within Guam, or such voting district.
3. If a person resides with one's family in one (1) place, and does business or maintains real property in another place, the former is that person's place of residence; but any person having a family, who establishes one's own dwelling place other than with

VOTER REGISTRATION

one's family, with the intention of remaining there, shall be considered a resident where that person established such dwelling place.

4. The mere intention to acquire a new residence without physical presence at such place does not establish residency.

5. A person does not obtain or lose residency solely by reason of that person's presence or absence while employed in the services of the United States, or of the government of Guam, or while a student at an institution of learning, or while kept in an institution, a hospital, or asylum, or while confined in prison.

6. A person loses one's residency in Guam if that person registers to vote or votes in an election held in a place other than Guam.

7. No person who is registered to vote in another U.S. jurisdiction may vote on Guam until the Commission has transmitted an Affidavit to said jurisdiction requesting that person's name to be removed from such election roll. The Commission shall provide Affidavit forms for the removal of names of voters from the election rolls of other U.S. jurisdictions. For purposes of establishing residency in a district or municipality, a person shall be domiciled in that district or municipality for at least thirty (30) days immediately prior to the election. For voting purposes, a person shall have only one (1) place of domicile.

SOURCE: Law governing 3 GCA § 9123

■ Where to Register

Electors may register at the Guam Election Commission's (GEC) main office, or with a deputized Registration Clerk (registrar) at a Village Mayor's Office, a public high school, or a college campus, at the Department of Motor Vehicles, and online at the GEC's website.

SOURCE: Law governing 3 GCA § 3105

■ When to Register

Registration at the Guam Election Commission's main office shall be in progress during all office hours Monday-Friday 8:00 am- 5:00pm except for holidays. During District Voter Registration, twenty-one (21) days prior to any election, voter registration at the GEC's main office as well as at the Village Mayor's Offices will be open until 8:00 pm. The last day to register to vote is ten (10) days prior to any election. Transferring districts is prohibited between the Primary and General Elections.

■ Online Registration

Any qualified person who has a valid Guam driver's license or Guam identification card may submit a voter registration application online at the Guam Election Commission's website at www.gec.guam.gov.

SOURCE: Public Law 33-11 Section 4 §3102.1

Declaration

VOTER REGISTRATION

Any person seeking to register to vote online must attest under penalty of perjury to the following:

- a) I am a citizen of the United States of America.
- b) I am at least sixteen (16) years old.
- c) I have been a resident of Guam for not less than thirty (30) days immediately preceding date of the application
- d) I am not committed under a sentence of imprisonment
- e) I acknowledge that a person who knows that he or she does not possess the legal Qualification of a voter and who register to vote is guilty of a felony in the third degree
- f) I agree to the use of my Guam Driver's License or Guam ID card signature for voter registration purposes
- g) I attest that all the information I provided on this application is true and correct.

SOURCE: Law governing 3 GCA §3102.1

Electronic Signature

For the purpose of online registration, the Guam Election Commission shall recognize electronic signatures as valid and equivalent to handwritten signatures unless otherwise prohibited by law.

Applicant

The Guam Election Commission must obtain a digital copy of the applicant's Guam driver's license or Guam identification card signature from the Department of Revenue and Taxation, Motor Vehicle Division. The GEC must ensure that all employees granted access have completed the required training on proper systems use, data security, and compliance with applicable laws and policies. Access will be used solely for authorized purposes and all users are responsible for maintaining confidentiality and data integrity.

SOURCE: Law governing 3 GCA §3102.1 (e)

Voter Notification

The Guam Election Commission (GEC) shall transmit both a notice of receipt of application and upon completions of review, the confirmation of the applicant's status of registration. Should additional information or documentation be required to complete the registration, the GEC must notify the applicant promptly, specifying the necessary requirements and any applicable deadlines.

Online Registration Deadline

Any applicant may be registered electronically in accordance with 3 GCA §3102.1 from the time the registration is open until twenty-one (21) days prior to an election. The Guam Election Commission shall on its website publish the following:

- a) The Deadline to register to vote online.
- b) The Deadline to register to vote in the upcoming election.
- c) Place(s) and time for registration.

VOTER REGISTRATION

■ Motor Voter Registration

Any person applying for a Guam Driver's License, Guam ID, or renewal of either, may register to vote or update their voter registration provided that all the eligibility requirements to register to vote under to 3 GCA Chapter 3 are met.

SOURCE: Law governing 16 GCA §3101.3

Voter Consent & Affirmation

The Guam Election Commission shall prepare a statement of consent and affirmation to be placed in the Guam Driver's License and Identification Card Application. The statement shall affirm that the voter is:

- a) A U.S. Citizen;
- b) At least sixteen (16) years of age;
- c) A resident of Guam as defined in 9 GCA § 9123;
- d) Not confined to a mental institution nor judicially declared insane; and
- e) Is not committed under a sentence of imprisonment.

All applicants shall indicate their decision to register to vote, update their existing voter registration, or decline to register. As part of the registration process, applicants must sign the designated authorization to ensure compliance with voter registration requirements. Employees must verify that an option has been clearly selected before processing the request, and any failure to sign or indicate intent must be documented.

Failure to Consent or Sign

Should an applicant fail to provide a signature or consent to register to vote, update their voter registration, or decline registration, the application shall not be processed and will be considered a decline with no further action to be taken. This action shall be documented appropriately.

Motor Voter Notification

The Guam Election Commission (GEC) shall transmit a notice to the applicant confirming the status of their registration upon completion of the review process. Should additional information or documentation be required to complete the registration, the GEC must notify the applicant promptly, specifying the necessary requirements and any applicable deadlines.

Motor Voter Registration Deadline

Any person applying for a Guam Driver's License, Guam ID, or renewal of either, may register to vote or update their voter registration from the time the registration is open until twenty-one (21) days prior to an election. The Guam Election Commission shall immediately remove the consent and affirmation statement from the Guam Driver's License and Identification Card Application to prevent the improper registration of an applicant.

■ Registration Affidavits

VOTER REGISTRATION

Upon registration, the Affidavit of registration shall be produced in duplicate, where the original is Filed with Guam Election Commission and a certified copy is given to the applicant.

All forms of registration of a voter is permanent for all purposes during that person's life, unless and until the Affidavit of registration is cancelled by the Guam Election Commission. Guam law provides that all uncanceled Affidavits of registration, and the cancelled duplicates, are preserved by the GEC for the purpose of procuring registration.

SOURCE: Laws governing 3 GCA §§§ 3118, 3120, & 3126

■ Volunteer Registrars

The Guam Election Commission may appoint Volunteer Registrars any time prior to an election to serve a term beginning at their appointment date up to twenty-one (21) days prior to an election.

SOURCE: Law governing 3 GCA § 3110

Maximum Number of Volunteer Registrars

The Guam Election Commission Board of Commissioners shall determine the maximum number of Volunteer Registrars for each political party for each election cycle.

Excluding the number of Volunteer Registrars set for each political party, the GEC may deputize volunteer registrars from any bona Fide association and/or organization which shall not exceed Five (5) volunteers from each for each election cycle.

SOURCE: Board Policy 06/11/1985

Reporting/Evaluation

Each Volunteer Registrar shall check-in on the days designated by the GEC. Failure to check-in with the GEC on days designated may result in dismissal.

Each Volunteer shall submit their completed Affidavits of Registration as soon as possible to include any and all cancelled/void Affidavits to the Guam Election Commission. The Commission staff shall review each Affidavit for completeness and accuracy. If any error(s) exists, the staff shall point-out the mistake and instruct the Volunteer on the proper registration procedures.

SOURCE: Board Policy 7/11/1985

Cessation

All Volunteer Registrars shall cease their registration process twenty-one (21) days prior to an election or upon dismissal. All registrars shall account for all supplies and materials issued to them and return to the Commission.

Any Volunteer Registrar who does not return supplies and materials twenty-one (21) days prior to an election, or upon dismissal, will be sent a letter allowing a three (3) day grace period to comply. If the supplies and materials are not returned to the Commission after the grace period, the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.

SOURCE: Law governing 3 GCA § 3114

VOTER REGISTRATION

■ District Registrars

The Commission shall appoint at least one (1) registration clerk for each district. The Executive Director shall solicit the mayors of each municipality for nomination of registration clerks within their municipality.

SOURCE: Law governing 3 GCA § 3109

Times for Registration

District registration shall begin twenty-one (21) days prior to an election and shall continue until ten (10) days prior to an election. Hours of operation shall be Monday to Friday from 4:00P.M. to 8:00P.M.

SOURCE: Best Practice since September 2012

Compensation

District Registrars' compensation shall not be less than the minimum wage times 1.5.

SOURCE: Law governing 3 GCA § 3111

Cessation

All District Registrars shall cease their registration process ten (10) days prior to any election or upon dismissal. All registrars shall account for all supplies and materials issued to them and returns to the Commission.

Any District Registrar who does not return supplies and materials ten (10) days prior to an election, or upon dismissal, will be sent a letter allowing a three (3) day grace period to comply. If the supplies and materials are not returned to the commission after the grace period, the commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.

SOURCE: Law governing 3 GCA § 3104

Guam Decolonization Registry

The Guam Decolonization Registry was created with the intent to permit the native inhabitants of Guam, as defined by the U.S. Congress' 1950 Organic Act of Guam, to exercise the inalienable right to self-determination of their political relationship with the United States of America. The Decolonization Registry is a Registry, separate and apart from the Chamorro Registry, which specifically delineates the list of qualified voters for the political status plebiscite.

SOURCE: Law governing 3 GCA § 21001

Civil Case No 11-00035

Pursuant to the Decision and Order rendered by District Court of Guam Chief Judge Tydingco-Gatewood on March 8, 2017 in Civil Case No. 11-00035, Arnold Davis vs. Government of Guam, et al., the Guam Election Commission ceased all activities related to the registration of Native Inhabitants of Guam. A memorandum was sent to all Government of Guam agency heads to inform them of the Decision and Order and to request all registration forms and

VOTER REGISTRATION

other supplies be submitted to the Guam Election Commission. Efforts have also been made to contact Decolonization Registrars personally to ensure all registration materials are returned. The Guam Election Commission is committed to administering the Election laws as expressed in the Guam Code and interpreted by the Courts and is moving forward accordingly.

SOURCE: Civil Case No. 11-00035

■ Persons Entitled to Register or be Registered

Every person who is a Native Inhabitant of Guam or who is descended from a Native Inhabitant of Guam is entitled to register with the Guam Decolonization Registry. Native Inhabitants of Guam shall mean those person who became U.S. Citizens by virtue of the authority and enactment of the 1950 Organic Act of Guam and descendants of those persons.

SOURCE: Law governing 3 GCA §§ 21001(e) & 21003

Registration of Minors

Individuals below the age of eighteen (18) years, who turn eighteen (18) years on or before the date of the Political Status Plebiscite, shall be entitled to register with the Guam Decolonization Registry by a parent or legal guardian. Such parent or guardian must register such minor by Affidavit of registration made before the registration clerk in the office of the Commission. The Commission shall require the submission of such additional information and proper documentation as will enable it to verify the relationship between parent or guardian and said minor, and to comply with the rest of Chapter 21 of 3 GCA. Any change of residency for such minor must be reported to the Commission within thirty (30) days of such change.

SOURCE: Law governing 3 GCA § 21004

Off-Island Native Inhabitants of Guam

Persons who are eligible under Chapter 21 of Title 3 GCA to register with the Guam Decolonization Registry, but who are not on Guam at such time as they intend to register, may complete and submit, via mail or otherwise, a notarized Affidavit of registration to the Commission. Affidavits of registration shall be made available by the Commission. The Commission shall also require from such persons the submission of such additional information and proper documentation as will enable it to comply with this Chapter 21 of Title 3 GCA. Any change of residency must be reported to the Commission within thirty (30) days of such change.

SOURCE: Law governing 3 GCA § 21005

■ When to Register

A person may register with the Guam Decolonization Registry at any time during the year, except at such times when the Commission shall close the registration rolls for the purposes of conducting the Political Status Plebiscite. At such times the registration rolls shall be closed ten (10) days prior to such Political Status Plebiscite.

VOTER REGISTRATION

- Exception. For the purposes of registering eligible persons to vote on the plebiscite relative to Guam's political status, the Commission, in consultation with the Commission on Decolonization

SOURCE: Law governing 3 GCA § 21007

■ Where to Register

Registration for Native Inhabitants of Guam with the Guam Decolonization Registry shall be in progress at the main office of the Commission during such hours as the office is open for business, prior to any closing of the registration rolls. Upon enactment of this Act, the Commission shall deputize as many volunteers to serve as registration clerks in each of the Villages and designated educational institutions, for an undetermined period after the date of enactment, as is necessary for the purposes of registering eligible persons with the Guam Decolonization Registry. Such registration shall take place at each Mayor's office, Guam Community College, University of Guam, each high school or any other place within the Village designated by the Commission.

Native Inhabitants of Guam shall also be able to register with the Guam Decolonization Registry at such times and places within Guam as the Commission shall deem advisable and convenient, and the Commission shall deputize volunteers for such purposes as well.

SOURCE: Law governing 3 GCA § 21008

■ Candidates

Governor/Lieutenant Governor

□ *Qualifications*

- a) Must be an eligible voter;
- b) Must have been, for Five consecutive years immediately preceding the election, a citizen of the United States and a bona Fide resident of Guam; and
- c) Must be at least thirty (30) years of age at the time of taking office (i.e. the First Monday of January following the date of election)
- d) Must maintain his official residence in Guam during his incumbency
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. §1422

□ *Term of Office*

The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified.

SOURCE: Law governing 48 U.S.C. § 1422

□ *How Elected*

The Governor of Guam, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the Legislature of Guam. The Governor and Lieutenant Governor shall be chose jointly, by the casting by each voter of a single vote applicable to both offices.

SOURCE: Law governing 48 U.S.C. § 1422

Senators

□ *Qualifications*

- a) Must be a citizen of the United States of America;
- b) Must be at least twenty-Five (25) years of age at the time of taking office (i.e. the First Monday of January following the date of election)
- c) Must have been domiciled in Guam for at least Five (5) years immediately preceding the sitting of the Legislature;
- d) Must not have been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his or her civil rights; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. §1423(f) & 3 GCA § 6103

□ *Term of Office*

CANDIDATES

Senators elected to the Guam Legislature shall hold office for a term of two (2) years and until their successors are elected and qualified. The term of Senators elected to the Guam Legislature shall commence on the First Monday of January following the date of election.

SOURCE: Law governing 2 GCA § 1105

□ *How Elected*

I Liheslaturan Guåhan shall be a unicameral body consisting of Fifteen (15) Members who are elected at large and as provided by law.

SOURCE: Law governing 3 GCA § 6101

Mayor and Vice-Mayor

□ *Qualifications*

- a) Must be a citizen of the United States of America;
- b) Must be at least twenty-one (21) years of age;
- c) Must be registered to vote in and have resided within the municipality or village in which he or she is to represent for a period of one (1) year immediately preceding the date of the election at which he or she is a candidate;
- d) Must continue to reside in the municipality or village throughout his or her term in office; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 5 GCA § 40108

□ *Term of Office*

There shall be an election of Mayors and Vice Mayors at the regular general election in November, 1952, and at the regular general election in every fourth year thereafter, and they shall serve for a period of four (4) years.

SOURCE: Law governing 5 GCA § 40104

□ *How Elected*

Mayors and Vice Mayors as indicated in § 40101, shall be elected by popular vote of the area which such Mayors are to represent. In districts where there are Vice Mayors, the Mayor and Vice Mayors shall be chosen separately.

SOURCE: Law governing 5 GCA § 40103

Non-Voting Delegate to the U.S. House of Representatives

□ *Qualifications*

- a) Must be at least twenty-Five (25) years of age on the date of the election;
- b) Must have been a citizen of the United States of America for at least seven (7) years prior to the date of the election;

CANDIDATES

- c) Must be an inhabitant of Guam;
- d) Must not be, on the date of the election, a candidate for any other office; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. § 1713

□ *Term of Office*

The Delegate shall be elected by the people qualified to vote for the members of the legislature of the territory he is to represent at the general election of 1972, and thereafter at such general election every second year thereafter. The term of the Delegate shall commence on the third (3rd) day of January following the date of the election.

SOURCE: Law governing 48 U.S.C. § 1712

□ *How Elected*

The Delegate from Guam shall be elected at large and by a majority of the votes cast for the office of Delegate. If no candidate receives such majority, on the fourteenth day following such election a runoff election shall be held between the candidates receiving the highest and the second highest number of votes cast for the office of Delegate.

SOURCE: Law governing 48 U.S.C § 1712(a)

Attorney General of Guam

□ *Qualifications*

- a) Must be a citizen of the United States and a resident of Guam;
- b) Must be an active member in good standing of the Guam Bar Association on Guam for at least Five (5) years immediately preceding his or her candidacy for office, or an inactive member of the Guam Bar Association who, in the Five (5) years preceding his or her election as an Attorney General has served as an elected official elected by the people of Guam or as a Public Auditor of Guam, or as a Justice of the Supreme Court of Guam or Judge of the Superior Court of Guam;
- c) Must be at least thirty (30) years of age;
- d) Must have not have been suspended from the practice of law in any jurisdiction for violation of ethical rules governing the practice of attorneys; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude.

SOURCE: Law governing 5 GCA § 30101(b)

□ *Term of Office*

The Office of the Attorney General of the government of Guam shall be administered by the Attorney General of Guam, who shall be elected by the people of Guam for a term of four (4) years.

CANDIDATES

SOURCE: Law governing 5 GCA §30101(a)

□ *How Elected*

In the General Election, the candidate receiving the most votes, subject to the established by this Chapter, shall be certified by the Guam Election Commission as having won election to the position of Attorney General. The Attorney General shall be sworn into and take office on the First Monday of the January following the General Election at which the Attorney General was elected and shall remain in office until the election and swearing in of a new Attorney General, unless removed from Office.

SOURCE: Law governing 5 GCA § 30101(b)

Public Auditor

□ *Qualifications*

- a) Must be a citizen of the United States and a resident of Guam for the Five (5) years preceding his or her election;
- b) Must not have been convicted of a felony or suspended in any U.S. or non-U.S. jurisdiction by an ethics board overseeing the certified public accountant or attorney, as the case may be;
- c) Must either:
 - be a certified public accountant, or
 - be an attorney at law, or
 - have at least Five (5) years of experience in the establishment or enactment of government budgets
- d) Must not declare a political party affiliation;
- e) Must not seek the endorsement or receive directly or indirectly Financial or material support from a political party.

SOURCE: Law governing 1 GCA §§ 1903 & 1906

□ *Term of Office*

The Public Auditor shall serve a term of four (4) years.

SOURCE: Law governing 1 GCA § 1903

□ *How Elected*

The Public Auditor shall be elected by the voters of Guam in a General Election occurring at the same time as the General Election for Mayors. The candidate receiving the most votes, subject to the established by this Chapter, shall be certified by the Guam Election Commission as having won election to the position of Public Auditor.

SOURCE: Law governing 1 GCA § 1903

Consolidated Commission on Utilities

□ *Qualifications*

- a) Must be a registered voter of Guam;

CANDIDATES

- b) Must be at least twenty-Five (25) years of age;
- c) Must have been a resident of Guam for at least Five (5) years prior to the date of the election;
- d) Must not simultaneously serve as a Commissioner and an employee of the Guam Waterworks Authority, the Guam Power Authority, or the Public Utilities Commission, or simultaneously serve as a Commissioner and an unclassified or contracted employee of the government of Guam;
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to §6110, Title 3, Guam Code Annotated.

SOURCE: Law governing 12 GCA § 79101

□ *Term of Office*

Commissioner shall be elected to serve a term of four (4) years, commencing on the First (1st) day of January following their election.

SOURCE: Law governing 12 GCA § 79103(a)

□ *How Elected*

The Five (5) Commissioners of the Consolidated Commission on Utilities are elected at-large by the voters of Guam in a General Election.

SOURCE: Law governing 12 GCA § 79101

Guam Education Board

□ *Qualifications*

- a) Must be at least twenty-Five (25) years of age;
- b) Must be a resident of Guam for at least Five (5) years immediately preceding the date on which the member takes office and continuing throughout the term;
- c) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 17 GCA § 3102.3(b)

□ *Term of Office*

Each elected voting member shall serve for a term of two (2) years, commencing at 12:00 noon on the First Monday in January following their election.

SOURCE: Law governing 17 GCA § 3102.3(b)

□ *How Elected*

Six (6) voting members shall be elected at-large at each General Election.

SOURCE: Law governing 17 GCA § 3102.3(b)

■ **Candidate's Packets**

Nominating Petitions

CANDIDATES

Person(s) interested in pursuing an elected public office may pick up nominating petitions at the main office of the Election Commission.

☐ Circulating Petitions

Nominating petitions may be circulated by a candidate and/or by any other qualified person(s) of the candidate choice. For petitions to be accepted, each circulator must sign the "Certificate of Circulator" on the last page of the petition (Form EC). The GEC shall not accept any petition without the affirmation of the circulator.

☐ *Number of Required Signatures for Elected Office*

OFFICE	NUMBER OF SIGNATURES
Governor/Lt. Governor	500
Senator	250
Mayor	100
Vice Mayor	100
Non-Voting Delegate to U.S. House of Representatives	500
Attorney General	Not required
Public Auditor	Not Required
Consolidated Commission on Utilities	Not Required
Guam Education Board	150

Organizational Report

Each candidate, committee, and political party shall File an organizational report no later than the earliest of the following applicable days:

- a) on or before the day of Filing for nomination or election;
- b) by the tenth (10th) day after receiving any contributions for the next campaign in an aggregate amount of more than Two Hundred Fifty Dollars (\$250.00) or the making or incurring of any expenditure for the next campaign in excess of Two Hundred Fifty Dollars (\$250.00).

SOURCE: Law governing 3 GCA § 17106

Certification of Qualification

Every person seeking nomination for any elected office shall submit a Certification of Qualification attesting to his/her Qualification for the elected office he/she is seeking.

Declaration by Sponsors

A declaration of candidacy may be Filed with the Commission by any Five (5) registered voters of Guam who jointly propose a candidate for I Liheslaturan Guåhan, or for any office, without the signature of that candidate. If the office to be Filled is for a municipality or division thereof, only registered voters of the municipality or division concerned may so File a declaration of candidacy.

SOURCE: Law governing 3 GCA § 6106

CANDIDATES

Affidavit of Convicted Felon

Every person seeking nomination for any elected office shall submit the GEC an Affidavit of Convicted Felon (Form EC) attesting that they are not a convicted felon and have not been convicted of a crime of moral turpitude.

SOURCE: Law governing 3 GCA § 6110

Candidate Information Card

Every person seeking nomination for any elected office must complete and File with the Commission a Candidate Information Card (Form EC-16). The Candidate Information Card shall contain:

- ☐ Name
- ☐ Elected Office Sought
- ☐ Mailing Address
- ☐ Date of Birth
- ☐ Telephone Number (Home and Work)
- ☐ Residence (Village)
- ☐ Email Address
- ☐ Name to Appear on Ballot
- ☐ Family Name/Nickname (20 Letters Maximum)
- ☐ Political Party (if applicable)
- ☐ Date Qualified as a Candidate
- ☐ Signature of Candidate

■ **Public Official Financial Disclosure Act**

All candidates seeking an elected office, shall File their Financial disclosure documents in accordance with Title 4 GCA Chapter 14

■ **Filing Candidacy**

When to File Petitions

Notwithstanding any other provision of law, candidates for I Liheslaturan Guåhan, offices of I Maga'laken Guåhan [Governor] and I Segundu Na Maga'laken Guåhan [Lieutenant Governor], Washington Representative, Mayor and Vice-Mayor, shall File their nomination petition papers and all other required documents with the Commission no earlier than one hundred sixty (160) days before the primary election, and no later than ninety (90) days before the primary election. Notwithstanding any other provision of law, candidates for the Guam Education Board and the Consolidated Commission on Utilities shall File their declarations of candidacy with the Commission no earlier than one hundred thirty (130) days before the general election, and no later than sixty (60) days before the general election.

SOURCE: Law governing 3 GCA § 6108

Filing Fee

CANDIDATES

All candidates – with the acceptance of those who are seeking the office of the Attorney General, Public Auditor, members of the Consolidated Commission on Utilities and Members of the Guam Education Board – shall File along with their nomination papers a fee of one hundred (100) dollars.

Only Completed Packet Accepted

The Guam Election Commission shall only accept completed Candidate Packets upon Filing. The following forms must be Filled out in order for the packet to be considered complete:

- ☐ Nominating Petitions (if applicable) *
- ☐ Candidate Information Card
- ☐ Certification of Qualification
- ☐ Certification – Declaration of Candidacy (if applicable)
- ☐ Organizational Report (if not already Filed) *
- ☐ Public Financial Disclosure Statement
- ☐ Affidavit of Convicted Felon
- ☐ Police and Court Clearance
- ☐ Filing Fee (if applicable) *

*A packet submitted by persons sponsoring a candidate for an elected public office shall be accepted pending the acceptance of the candidate being sponsored. Upon acceptance, the remaining forms must be completed and Filed with the Commission

SOURCE: Best Practice since 2000

Candidacy Decline or Acceptance

Any candidate for whom a declaration of candidacy has been Filed either by a political party or by sponsors may decline or accept to be a candidate by making known such declination or acceptance in writing to the Commission within two (2) workings days following the submission of nomination petition papers and all other required documents to the Commission by the sponsor(s).

SOURCE: Law governing 3 GCA § 6107

■ Election Campaign Contributions and Expenditures

All candidates seeking an elected office, shall File their election campaign contributions and expenditures report in accordance with Title 3 GCA chapter 17

■ Public Financial Disclosure

All candidates seeking an elected office, shall File their public Financial disclosure report in accordance with Title 4 GCA chapter 13 and 6 GARR chapter 4.

■ Stakeholders

The Executive Director may seek the assistance from the following stakeholders in the implementation of any regularly scheduled election:

Department of Public Works

The GEC coordinates with the Department of Public Works (DPW) for the assistance with: 1) the transportation of ballot stocks and voting materials to their assigned municipal polling sites and 2) the transportation of precinct Officials, ballot stocks, and voting materials to the Election Center.

Guam Power Authority

Assistance is sought from the Guam Power Authority (GPA) to provide on-site power support at the Election Center in order to ensure that the power circuits remain uninterrupted during ballot tabulation.

Guam Police Department

Assistance is sought from the Guam Police Department (GPD) to provide security for:

- ☐ Police escort of DPW buses while transporting election materials to and from the polling sites
- ☐ Police presence at each municipal polling place
- ☐ Security at Election Headquarters
- ☐ Security at Election Return Center
- ☐ Police escort of cast ballots to the GEC's main office

Guam Department of Education

The GEC collaborates with the Guam Department of Education (DOE) to utilize the Guam Public Schools as polling sites for each municipality on Election Day.

Superior Court of Guam

A standby Judge is needed on Election Day in the event that a voter or challenger wishes to appeal the decision of the Commission in the process of challenging a voter. In any election, the GEC shall request that a standby Judge be provided by the Superior Court of Guam.

■ Publications

Notice of Polling Place Location and Hours

Not less than thirty (30) days prior to the date set for any election, The Commission shall designate, announce, and publish the official polling sites and the official precincts, along with the alphabetical range assigned to each precinct where the ballots are to be cast in such election. In the case of a runoff election, the polling places and precincts shall be the same as in the election precipitating the need for a runoff, unless determined otherwise by the Commission.

PRE-ELECTION DAY PREPARATION

Notice of Election; Publication, Posting

At least thirty (30) days before the date for holding the election, the Commission shall prepare and transmit to each municipal mayor a notice, in writing, designating the office for which candidates are to be nominated at the election, and state the time, date, and the place where the election voting will be held.

Within ten (10) days after transmitting the notice to the municipal mayors, the Commission shall cause notice of the election to be posted in three (3) conspicuous public places in each of the municipal districts of Guam, and to be published at least three (3) times in a newspaper of general circulation in Guam. The notice shall state the time, date, and place where the election voting will be held, together with the offices for which candidates are to be nominated and elected.

SOURCE: Law governing 3 GCA § 15202

Publication of All Candidates and Offices

The Guam Election Commission is to publish the names of all candidates and the offices for which they have declared their candidacy after each Filing deadline. The Filing deadlines for each office are as follows:

Ninety (90) Days before the Primary Election:

- ☐ Governor/Lieutenant Governor
- ☐ Senator
- ☐ Washington Representative
- ☐ Mayor/Vice-Mayor

Ninety (90) Days before the General Election:

- ☐ Public Auditor
- ☐ Attorney General
- ☐ Guam Education Board
- ☐ Consolidated Commission on Utilities

SOURCE: Law governing 3 GCA § 6108

Publication of Sample Ballot

At least twenty (20) days before any election, the Commission shall certify to the printer the sample ballot with the names of the nominees thereon in the same order and manner as they will appear on the official ballot, and immediately thereafter cause a true copy of the same to be published at least once in a daily paper of general circulation. The ballot, as published, shall be identical to that used for voting, except for the substitution of the word “Sample” where the word “Official” shall appear upon the election ballot, and may be reproduced for voter instruction in colors contrasting with official ballots.

SOURCE: Law governing 3 GCA § 7104

Publication of Members of Precinct Board

PRE-ELECTION DAY PREPARATION

The Commission shall publish the names of the members of the precinct boards in a newspaper of general circulation published in Guam at least two (2) times, the last publication to be not less than one (1) day before the day of any election.

SOURCE: Law governing 3 GCA § 4108

Publication for Special Election

Upon receipt of the special election proclamation, the Commission shall cause a copy to be published in a newspaper of general circulation, and to be posted in each municipality where such special election will take place, at least twenty (20) days before the scheduled date of the election.

SOURCE: Law governing 3 GCA § 5105

■ Site Inspections

Polling Places

The Guam Election Commission (GEC) Executive Director will send a letter to the Guam Department of Education (DOE) Superintendent or solicit any private property owner requesting use of the Guam public schools or private property as polling locations for the upcoming election. The correspondence should be sent out at least six (6) months prior to the Primary Election. The GEC staff, upon approval of the Superintendent or private property owner, shall visit each polling place no later than 60 days prior to any primary election. The staff will meet with the principal, designated staff member, or private property representative of each facility to be used as a polling location to Finalize and confirm rooms or spaces that will be designated for each precinct. Each room to be used as a polling site should meet the following minimum criteria:

1. There should be adequate Accessible Parking spaces (one accessible parking space for every 25 spaces).
2. The room used should be at a reasonable distance from the parking area.
3. Rooms should be on the same level as the parking area. If the facility being used is multi-level, there should access ramps available for persons with disabilities. The ramp to be used should be in compliance with the Americans with Disabilities Act. (one foot run: one inch rise).
4. There should be adequate lighting along the path of travel to and from the parking space and polling area.
5. Restrooms should be at a reasonable distance from the polling area.

The school principal or private property representative should designate a poll maintenance worker whose responsibility will be to ensure that the entrances to the polling sites will be opened no later than 6 a.m. Election Day. That person will be compensated by the GEC.

Prior to Election Day, the GEC staff will set perimeter boundaries for electioneering. The boundaries shall be set in accordance with Title 3 of the Guam Code Annotated. The solicitation of any private facility shall be done in accordance with the Guam procurement law.

SOURCE: Best Practice since 2004

PRE-ELECTION DAY PREPARATION

Polling Place Accessibility

Attention needs to be given to the special needs of voters with disabilities. It is important to examine the entire polling place, from the parking lot to the entrance of the polling place to the voting area, to assess any areas where temporary accommodations may be needed. The GEC.

Some common problems to look for:

1. If there is an alternate entrance used by voters with disabilities, the pathway to the accessible entrance should be clearly marked and a sign posted at the primary entrance directing voters with disabilities to the accessible entrance.
2. Be sure that if off-street parking is available at the polling location, that any accessible parking spots are marked with appropriate signs and access aisles are clearly designated.
3. Some doors are too heavy to be opened by the elderly or voters with disabilities. Such doors should have automatic openers or should be left open, if designated as the accessible entrance.
4. A voting booth that is accessible to electors in wheelchairs must be set up. This booth must be at least thirty (30) inches wide with a writing surface between twenty-eight (28) and thirty-four (34) inches high in order to meet accessibility standards. A wheelchair accessible table may meet this requirement if supplemented with a curtain.
5. Accessible equipment must be set up in the accessible voting booth in a manner ensuring privacy for voters choosing to use the equipment.

■ **Equipping the Polling Place**

The Guam Election Commission is responsible for developing a layout for each of the polling places in accordance with 3 GCA § 9103 (i.e. The precincts shall be arranged so that neither the ballot boxes nor tables on which they are placed shall be hidden from the view of voters outside the guard-rail, rope or other barricade). Prior to any election the Commission shall solicit the assistance of the Department of Public Works of the government of Guam to utilize its labor force for the preparation of the polls.

Layout

Prior to Election Day, the GEC Officials should consult with the school principals and Poll Maintenance Workers as to the layout of the polling place. It is important to be familiar with the Flow of traffic and take a critical look at the polling place, to make sure it will be accessible for all voters, including those with disabilities.

When planning the layout of the polling place, consider the following:

Voting Booths

- Every polling location is required to be able to service a minimum of eight (8) voters at a time.

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- One booth must be at least thirty (30) inches wide with a writing surface between twenty-eight (28) and thirty-four (34) inches high in order to meet accessibility standards.
- Precinct Officials must be trained to properly assemble all voting booths and curtains.
- Booths must have a surface on which to write and be sufficiently enclosed to ensure privacy for the elector. It is important to remember that the accessible booth must also be sufficiently enclosed to ensure privacy for the elector. This can be achieved by using a privacy shield or by positioning the booth/equipment so that it is facing away from the view of the room.
- Appropriate marking devices (pencils, pens, etc.) for use with the voting equipment, if any, must be provided.

Ballot Boxes

- One ballot box is required for each type of ballot used in the election.
- The boxes should be clearly labeled to indicate its designated precinct and the ballots (i.e. partisan and nonpartisan) that are to be deposited in them.
- There should be a suitable lock for each ballot box.

Tables and Chairs

- Ensure that there are enough tables and chairs for election Officials to conduct their work, as well as adequate seating for voters waiting to be serviced.

Signs

- Traffic in the polling place can be improved by posting “Enter” and “Exit” signs. In addition, signs marking the accessible path should be prominently posted and easy to read from the parking lot.
- Directions that instruct voters on how to mark ballots, provide proof of identification and sign the Election Day rosters can make the check-in process more efficient. (NOTE: These signs are to be distributed in the supply boxes on Election Day).

A Designated Poll Watcher Area

- The Poll Watcher area must be in the polling site at least eight (8) to ten (10) feet from the ballot box(es).

SOURCE: Rule governing 6 GARR § 1202

■ Ballots

Blank Ballot Inventory

Upon conducting an accurate inventory of blank ballot stock, the GEC establishes the total number of ballots and ballot types needed for each precinct based on current registration, factoring in an increase of Fifteen per cent (15%).

The ballot stock will be divided into separate boxes for each precinct and by ballot type. Each ballot stock code is located on the bottom right corner of each ballot. The GEC ensures that

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each box has ten per cent (10%) more ballots according to the total number of registered voters in that precinct (past practice of GEC to provide +10% to each precinct). Ensure that each ballot box is labeled properly accordingly to the precinct and stock code.

SOURCE: Board Policy 6/3/1974

Ballot Design/Name Placement on Ballot

The ballot layout is developed by the Guam Election Commission based on Title 3 GCA specifications. The ballot layout is then submitted to Legal Counsel for review and to the Board of Commissioners for approval. Only upon approval of the ballot layout can the order of the names on the ballot be drawn.

Candidates draw numbers at random to determine the order in which their name will appear on the ballot. Any changes to the way their name/nickname is to appear on the ballot shall be done at this time.

SOURCE: Law governing 3 GCA § § 7105 & 7106

Ballot Printing

The ballot printing process shall only commence once the GEC Board of Commissioners has approved the ballot layout. Upon approval of the ballot layout, the Executive Director shall forward the approved ballot layout to the Printers. The completed ballot layout is to be forwarded back for the Executive Director's approval to ensure that it conforms to the Election Code of Guam and that all Board specifications have been met.

Proofing

- ☐ The ballot used is the current form
- ☐ The ballot contains only the offices up for election
- ☐ All office titles are correct, spelled correctly, and in the correct order
- ☐ All candidates' names are spelled correctly and are in the correct order
- ☐ The form of each candidate's name reflects the candidate's desire as indicated on the Candidate's Information Card
- ☐ The Guam Election Commission's Executive Director will approve Final ballot proof before print.

Printing

- ☐ Transport the blank ballot stock, ink, oval transparency provided by the election supply vendor, inventory sheet, highlighters and pens up to the printing location.
- ☐ The start time shall be noted on the inventory sheet.
- ☐ Once the ballot stock is done printing, it is placed back in its box to dry and the end time will be noted on the inventory sheet.
- ☐ The number of damaged ballots, if any, shall be recorded in the inventory sheet
- ☐ All the ballot stock that was brought up to the print shop, the Film and the used plates will be transported back to the GEC office and secured. No ballot stock, Files, electronic Files, Films, inks, etc. will be left at the printers unattended.
- ☐ Any uncompleted Ballot stock that requires printing will be brought back up from GEC office to printers for completion.

PRE-ELECTION DAY PREPARATION

SOURCE: Best Practice since 2004

NOTE: There shall be at least two (2) GEC Staff present during the Proofing and Printing process at all times.

Completion of Printing

- When all of the printing is complete, 100 ballots from each precinct will be placed in separate folders and labeled accordingly. These ballots will be used for absentee/in-office voting. 10 ballots from each precinct will be placed into a separate stack. 5 of these ballots will be used for the test desk that will be sent to the election supply vendor to Finalize the programming of the optical scanners that will be used to tabulate all cast ballots. The other 5 ballots will be used for the public testing of the tabulators the night before an election.
- The remaining ballots will then be counted, packaged and labeled according to their precincts, corresponding stock numbers, and quantity. (Past practice was to give 10% more ballots to each precinct.)
- The packaged ballots will be placed in their ballot boxes and secured in the GEC's main office until distribution.
- Once the printing of all ballots have been completed, the GEC shall prepare and present to the Board a Final inventory sheet reporting on the total number of ballots printed to include: damaged ballots, ballots apportioned for absentee, ballots apportioned for coding, ballots apportioned for test election, and ballots to be distributed to each precinct.

SOURCE: Board Policy 6/3/1974

Printing of Provisional Ballots

The Commission will provide provisional ballots to each precinct in accordance with 3 GCA § 14102. The provisional ballot is printed with a different color ink and paper with the words "Official Provisional Ballot" printed across the top.

SOURCE: Rule governing 6 GARR § 1401

Pre-Election Ballot Security

The Commission shall designate a secured room under lock and key at its main office to house all printed and unprinted ballots and all other ballot printing materials. Access to the secured room shall be limited to GEC staff. Upon entry, the following guidelines shall be adhered to:

- The name of staff members, date, and reason for entry shall be recorded on the ballot room log sheet.
- No staff member shall be permitted to enter the ballot room alone.
- No item in the room shall be removed except upon direction by the executive director.

■ Election Day Supplies and Materials

The Commission shall prepare a supply inventory sheet (Form EC-12) listing the materials delivered to each precinct. The supplies and materials should include but not be limited to:

- Election Manual highlighting the duties and responsibilities of the precinct members
- Election Headquarters contact information

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There should be a designated area for the GEC staff to ensure that all supplies issued are returned to the GEC. This area should have sufficient space to store the supplies during the tabulation process.

Tabulation Section

The area designated for tabulation should have limited access to only the GEC Commissioners, staff, and deputized tabulation clerks. There should be a designated area within the tabulation section for precinct Officials to surrender all cast ballots and for GEC Officials to acknowledge receipt on the chain of custody form issued to the Officials in the morning.

If it is determined that the GEC will use its mechanical tabulation equipment, there should be sufficient power sources to run the machines. These power sources should be on different power circuits to prevent overloading the circuit and compromising the tabulation process.

There should also be a designated area for the GEC Board of Commissioners to convene a meeting to discuss Election Day matters and resolve ballots with any issues.

Ballot Replication Section

There should be a designated area for GEC Commissioners to meet to discuss what actions are to be taken regarding questionable and damaged ballots. The Ballot Replication Section shall be within the tabulation section in plain view. The following supplies and materials shall be provided in the ballot replication section:

- ☐ A ballot control log
- ☐ Unmarked ballots for each precinct
- ☐ Empty ballot box with lock and key
- ☐ Envelopes

Best Practice since 2000

Observation Section

There should be a restricted area for designated political party Officials and media outlet members to observe the tabulation process.

Security of Election Return Center

The Executive Director shall solicit the assistance of the Guam Police Department for the security of the Election Return Center.

■ Test Election – Security and Testing of Ballot Counting Devices

Notice of Test Election

The executive director shall inform the chairpersons of each political party of the GEC's intent to conduct a test election

Before any election in which (machine) tabulators are to be used and before any ballots are to be cast, the Commission shall conduct a Test Election in which GEC Officials, members of each political party, and media shall witness the test of the tabulation component by engaging

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- 1 the printing mechanism and securing a printed result showing a zero count for every
- 2 candidate, initiative, and referendum.
- 3 GEC staff shall randomly mark at least Five ballots from each precinct with over votes, under
- 4 votes, and write in votes. The staff is to have a manual tabulation of the results to compare
- 5 with the machine-tabulated results. If an error is detected during the test election, the
- 6 executive director shall determine the cause and correct the error.

■ Qualifications for Voting Absentee

Any qualified voter of the territory of Guam may, as provided in this chapter and subject to the conditions of this section, vote at an election by absentee ballot if he/she will be prevented from personally going to the polls and voting on Election Day because of:

- a) The conduct of his business or due to other necessary travel, or
- b) Illness or physical disability, or
- c) Service in the Armed Forces or Merchant Marine of the United States, or
- d) Employment with the government of Guam, or
- e) Attendance at an institution of learning, or
- f) Employment in the service of the United States or any Federal agency, or
- g) Accompanying a spouse who is engaged in any activity listed (a-f), above

SOURCE: Law governing 3 GCA § 10101

The Commission decided that residents of Guam leaving the island on a vacation would be considered eligible to vote via absentee ballot under “necessary travel” as stated in 3 GCA §10101

SOURCE: Board Policy 6/3/1974

■ Classifications of Absentee Voters

For reporting purposes, all Absentee Applicants are categorized under one of the following:

Off-Island Voters are any qualified voters who is not physically present on Guam to vote at the polls on Election Day due to the conditions provided in 3 GCA §10101

UOCAVA Voters are (1) members of the uniformed services on active duty and the merchant marine who, because of their membership in the service, are absent from their place of residence, and are otherwise qualified to vote; (2) the spouses and dependents of these uniformed services voters who are absent due to the member's active duty or service and (3) qualified voters or merchant marine who reside outside of the United States.

SOURCE: Law governing 2009 MOVE Act

Early In-Office Voters are any qualified voters who may vote by Absentee Ballot in the Commission’s office no more than thirty (30) days or less than Five (5) day before the day of election, in accordance with 3 GCA §10107

Homebound Voters are any qualified voters on Guam who is unable to physically present himself at the poll on Election Day due to conditions in 3 GCA §10101 (b).

■ Absentee Application

EC-23 Form – Absentee Application

This form is used by the GEC as a request for an Absentee Ballot for those unable to be at the polls on Election Day. In the event that the applicant is not a registered voter, the absentee application shall serve as a registration form. The applicant application shall be duplicated and attached to the applicants Affidavit envelope upon receipt by the GEC.

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SOURCE: Law governing 3 GCA § 10103

Standard Form 76 – Federal Post Card Application

This Form is issued by the United States Postal Service, Federal Election Commission and any Voting Officer of the Armed Forces of the United States and will be completed by Federal Government employees, Military personnel and their dependents. The Standard Form 76 may be used as a registration form if the applicant is not registered.

SOURCE: Board Policy 10/16/1984

■ Ballot Inventory

The Commission shall maintain an inventory detailing the amount of absentee ballots received from the printers, the amount of absentee ballots used, unused, and spoiled during the Off-island, Homebound, and In-Office voting process.

SOURCE: Public law 31-61 Section 3 (b)(3)

■ Form of Absentee Ballot

The absentee ballot may, but need not be, in the same form as the regular ballot used in the election. For off-island absentee voters, uniformed and overseas citizens voting absentee, the Commission shall inform such absentee voters of the option to request to receive an absentee ballot electronically by email transmission and provide electronic mail and cost free telephonic contact information to such voters so that those voters may make the request to the Guam Election Commission. Absentee ballots shall be mailed or transmitted by email to absentee voters in the manner requested, within forty-eight (48) hours of request or within forty-eight (48) hours, except Sundays, of Certification of the ballots, whichever is later.

SOURCE: Law governing 3 GCA § 10108

■ Review

All absentee applications received by the GEC shall be reviewed by GEC staff and, upon review, are subject to approval or disapproval by the Executive Director. Any absentee applications that are rejected are to be presented to the GEC's Board of Commissioners for further review.

SOURCE: Board Policy 10/2/1974

■ Early In-Office Voting

The Commission shall not more than thirty (30) days nor less than Five (5) days prior to any election conduct Early In-office voting for any voter wishing to vote by way of absentee as prescribed in 3 GCA §10101. The commission shall determine the location, time, duration, and specific days on which Early In-office voting will be held.

SOURCE: Law governing 3 GCA § 10107

Early In-Office Security

The Guam Election Commission (GEC) shall solicit the assistance of the Guam Police Department or any other public safety agencies to ensure the security and safety of ballots and voters. The requested services shall include but not limited to:

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- a) Providing security escorts for the transportation of marked and unmarked ballots.
- b) Stationing security personnel at vote centers to maintain order and voter safety.

The GEC shall coordinate with the designated law enforcement agencies in advance to confirm security and ensure proper implementation of safety measures throughout the early in-office voting period.

Early In-Office Notice

The Guam Election Commission shall prior to the start Early In-Office period publish in a general circular and on its website a notice of Early In-Office Voting. The Notice shall include but not limited to:

- a) Location of vote center
- b) The days and times when Early In-Office will be available
- c) Deadline for Early In-Office Voting
- d) Any additional information relevant to Early In-Office Voting

The notice shall be made with sufficient time to inform the public and allow for participation during the Early In-Office period.

Log Book

The Commission shall maintain a log of all Early In-Office voters who cast their absentee ballot with the Commission. The Log shall contain the voter's:

- ☐ Name;
- ☐ Date of Birth;
- ☐ Signature;
- ☐ Mailing Address;
- ☐ Voting District; and
- ☐ Date the Voter Voted

Early In-Office Application

Any voter intending to vote during the Early In-Office Voting period must complete an application to vote, in accordance with 3 GCA §10107(a). The application must prominently display the following statutory provisions:

- a) 3 GCA § 8203 – Unlawful Registration as a Crime
- b) 3 GCA § 8216(b) – Fraudulent Voting
- c) 3 GCA § 8126(d) – Fraudulent Voting

Election Officials must ensure that each voter completes and submits the application before receiving a ballot. The completed applications shall be properly recorded and stored in accordance with the GEC's retention schedule.

SOURCE: Law governing 3 GCA § 10107 (a)

Early In-Office Affidavit

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Any voter intending to vote during the Early In-Office Voting period must complete an Affidavit to vote, in accordance with 3 GCA §10107(b). The application must prominently display the following statutory provisions:

- a) 3 GCA § 8216(b) Fraudulent Voting
- b) 3 GCA § 8126(d) Fraudulent Voting
- c) 3 GCA § 10107 Early In-Office Absentee Voting
- d) 3 GCA § 10111 Marking Ballot
- e) 3 GCA § 10112 Taking and subscribing Oath
- f) 3 GCA § 1113-Officers Before Whom Voter May Appear

Election Officials must ensure that each voter completes and submits the Affidavit before receiving a ballot.

■ Vote Center

The Guam Election Commission shall solicit the use of any public or private facility to serve as the voting location during the Early In-Office period. Any solicitation of a private facility shall be done in accordance with the procurement laws of Guam. The facility should adhere to the minimum criteria for polling place and polling place accessibility as outlined in the “site inspection” section of this manual.

Accessible Voting at Vote Center

Accessible Voting shall be available for individuals who are unable to physically enter the polling site. The Guam Election Commission (GEC) must designate an area within the Vote Center for Accessible Voting operations. This area must be near a parking location to ensure convenience and ease of service for voters requiring accommodations.

Procedures:

1. The voter arrives and parks in the designated accessible voting stall.
2. An election official verifies the voter’s identity and takes their identification to the Accessible Voting operation area for processing.
3. Two election Officials retrieve the voter’s ballot, Early Voting Application, and Affidavit Envelope, then escort these materials to the voter’s vehicle.
4. The voter shall verify the information on Early Voting Application and Affidavit Envelope is complete and accurate.
5. Upon completion of the Early Voting Application and Affidavit envelope, the Election official reads aloud the ballot instructions and then allow the voter mark their ballot from within their vehicle.
6. Once voting is complete, the ballot is placed inside the Affidavit Envelope, which an official seals and signs the Affidavit envelope in front of the voter.
7. Two Officials shall escort the sealed Affidavit Envelope containing the voter’s marked ballot to the Accessible Voting operation area to be placed into a locked ballot box for secure storage.

All steps must follow election security protocols to ensure the integrity and confidentiality of the voter’s ballot.

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■ Homebound Voting

The Commission shall not more than thirty (30) days up to the closing of the polls on Election Day conduct Homebound voting for any voter wishing to vote by absentee as prescribed in 3 GCA §10101 (b).

Homebound Representative

The Commission shall solicit to the chairpersons of each political party the names of the representatives who is to accompany the Deputized Homebound Officials. The Homebound Voting process shall be conducted with one (1) deputized homebound official and one (1) Homebound Representative from each political party. If in the event a political party representative is unable to witness the Homebound voting process, two (2) Deputized Homebound Officials may carry out the Homebound voting process.

Guideline for Homebound Representatives

The following guidelines for Homebound Representatives shall be strictly adhered to during the Homebound Voting process. Homebound Representatives:

- Shall be identified along with the political party they represent;
- Shall not wear any political paraphernalia in support of or against any candidate or initiative question;
- Shall not interfere at any time with the duties of the Deputized Homebound Official;
- Shall not solicit a vote or speak with a voter regarding the marking of their ballot; and
- Shall not have any access to marked or unmarked ballots

Failure to comply with any of these rules, shall result in the immediate removal of the Homebound Representative or Deputized Homebound Official.

Solicitation of Hospitalized Voters

Prior to any election, the Commission shall solicit from the Guam Memorial Hospital, U.S. Naval Hospital Guam, and the Guam Regional Medical Center a list of patients who will be prevented from going to the polls on Election Day due to an illness or disability.

SOURCE: Best practice since 2000

■ Spoiled Ballot Procedures

Any voter who spoils his or her ballot can request another ballot. Before issuing the voter another ballot, however, the GEC Official or Deputized Homebound Official are to take the spoiled ballot from the voter and deface it by writing a large “X” in ink and place it into the designated (partisan or non-partisan) Spoiled Ballot Envelope. All spoiled ballots shall be counted and placed and sealed in an envelope endorsed “Spoiled Ballots, all spoiled ballots received from In-Office or Homebound voters shall be recorded and placed under lock and key after every business day.

SOURCE: Law governing 3 GCA § 9138

Any voter who spoils a ballot may return it to a member of the precinct board and receive another in its place, one (1) at a time, not to exceed three (3).

SOURCE: Law governing 3 GCA § 9137

■ Security of Absentee Ballots

Immediately at the end of every business day, the Commission shall secure under lock and key with limited access all Off-island, Homebound, and In-Office absentee ballots received that day. A log shall be maintained detailing the names of the absentee voters and the date in which their ballot(s) were received.

Not less than one (1) day prior to any election, the Commission shall record all absentee ballots received on the Absentee Ballot Transfer Receipt Form EC-15 to be distributed to the precincts.

■ Absentee Ballots Received Ten (10) Days After

The Commission shall continue to receive off-island absentee ballots up to the close of business on the tenth (10th) day after an election. The Commission shall continue to keep a log for all absentee ballots received during the ten (10) day period, detailing the names of the absentee voters and the date in which their ballot(s) were received. All ballots received shall be stored under lock and key with limited access until they are needed for tabulation.

SOURCE: Law governing 3 GCA § 10114

■ Status Reports

Absentee Status Report to Voters

The GEC shall prepare a report on the status of absentee voters' applications. The report shall include application receive date(s), approval or disapproval, and ballot status (i.e. ballot sent, ballot received). The report shall be made available for applicants to review.

Should an applicant's application be disapproved or pending information, the GEC shall contact them within forty-eight (48) hours informing them of their application status.

Status Report on Absentee Applications and Ballots (EC-25)

This is a report that shows the number of Absentee Applications that have been received, approved, pending and requests that are canceled. It also reports the number and type of ballots sent out to the applicants. (The report will consist of Off-island, In-Office, and Homebound applications and ballots).

■ Dates of Election

Primary Election

The primary shall be conducted at the polling place or places determined by the Election Commission in each district on the First Saturday of August in every even-numbered year.

SOURCE: Law governing 3 GCA § 15201

General Election

The General Election is held throughout Guam on the Tuesday next after the First Monday in November in each even-numbered year.

SOURCE: Law governing 3 GCA § 1106

Runoff Election

Runoff Election means an election held subsequent to a general election pursuant to the provisions of § § 1422 and 1712 of Title 48 of the United States Code.

SOURCE: Law governing 3 GCA §1111

Upon the Commission determining that a runoff election is required, the Commission shall order and conduct a runoff election to be held on the fourteenth (14th) day following the date of the election which precipitated the need for the runoff. The Commission shall publish notice of the runoff in a newspaper of general circulation on Guam at least four (4) times, with the last one being issued on the runoff date.

SOURCE: Law governing 3 GCA § 13105

Postponement of an Election

If for some serious cause resulting from any natural phenomenon, or act of God, or of public enemy, it become reasonably impossible to hold any election duly scheduled on Guam as a whole, or in any municipality or municipal division, I Maga'lāhen Guåhan or I Liheslaturan Guåhan with the advice and consent of I Liheslaturan (the Legislature), upon recommendation of the Commission, may postpone any such election therein for such time as they may deem necessary, but in no event shall such postponement exceed thirty (30) days from the date when such election should have been held. If additional time is necessary, the election may be postponed pursuant to the manner described in this Section.

SOURCE: Law governing 3 GCA § 5103

Proclamation for Special Election

At least thirty (30) days before any special election, I Maga'lāhen Guåhan shall publish an election proclamation, and transmit copies to the Commission. The proclamation shall contain a statement of the date and time of election, and of the office or offices to be Filled.

SOURCE: Law governing 3 GCA § 5104

■ Delivery of Ballots, Machines, and Supplies

A Ballot Box/Supply Box and Ballot Transfer Record (Form EC-16) must accompany ballot boxes to each precinct. The Precinct Leader, or in his or her absence, any of the four precinct clerks, shall immediately conduct an inventory of the number of ballots received and compare the total number counted with the number shown on Form EC-16. If for any reason the numbers do not agree, the official shall show the actual count received on Form EC-16. The Form EC-16 must be returned to the Commission's voter/ballot clearance officer at the tabulation center. The Commission shall also prepare a Supply Inventory Sheet (Form EC-12) listing materials delivered to each precinct. The Precinct Leader is designated, or, in his or her absence, any of the four precinct clerks, to receive and sign the receipt for the materials sent by the Commission. A Precinct Official shall conduct an inventory. If for any reason the numbers in Form EC-12 differ from the inventory, the precinct board shall show in the Form EC-12 the actual numbers of supplies received. The Form EC-12 shall be submitted to Election Commission staff at the tabulation center.

SOURCE: Rule governing 6 GARR § 1201

Roster and Tally List

The Roster and Tally list provided to each precinct shall contain the following voter information:

- ☐ Name;
- ☐ Date of Birth;
- ☐ Address;
- ☐ Gender; and
- ☐ A line designated for the voter's signature.

The Commission may, at its discretion, provide each precinct with a machine or electronic device containing a digital copy of the Roster and Tally list, provided that the device is capable of capturing and recording a voter's signature in a secure and verifiable manner.

SOURCE: Rule governing 3 GCA § 9116

■ Polling Places

Setting up Polling Places

Before the opening of the polls, precinct officials should take the time to ensure that the polling place is set up correctly in accordance with the layout provided by the Guam Election Commission and that they have all the necessary supplies. The way a polling place is set up affects how easy it will be for precinct officials to perform their tasks and for voters to cast their ballots. Proper polling place set-up is vital to ensuring that Election Day runs as smoothly as possible.

- ☐ *Voting Booths*
 - ☐ Booths are required to be placed apart from other activities such as checking in and registering.
 - ☐ All booths must be placed together in the same vicinity, including booth(s) containing the accessible voting equipment.
- ☐ *Signs*

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- o Precinct Officials are to post one (1) Voter Instruction sign inside each voting booth.
- o The following signs shall be posted throughout the precinct:
 - ▶ Precinct Signs (*to be posted at the entrance of the precinct)
 - ▶ Voter Instruction
 - ▶ Sample Ballot (*to be posted at the entrance of the precinct)
 - ▶ Voter Assistance
 - ▶ 100% I.D. Check
 - ▶ No Media Beyond This Point (*to be posted at entrance of the precinct)
 - ▶ Provisional Ballot Guidelines
 - ▶ No Loitering
 - ▶ No Electioneering
 - ▶ No Smoking

□ *Voter Listing*

The Commission shall issue each precinct a roster of all registered voters in that precinct. The voter listing shall contain the voters' names, dates of birth, and mailing addresses.

- o Two (2) copies of the index of registration shall be prepared by the commission, and provided to each precinct, strictly for the use of voters who may want to verify their registration. The indices must be placed where voters approaching the precinct may verify their registration. These indices are not for use by political party poll watchers.

SOURCE: Rule governing 6 GARR § 1206

□ *Barricades*

A guard-rail, rope or other form of barricade shall be assembled, constructed or arranged and placed so that only those persons who are inside the barricade can approach within six (6) feet of the ballot boxes, booths, tables or other facilities set up for voting.

SOURCE: Law governing 3 GCA § 9113

□ *Exhibiting the Ballot Box*

Before receiving any ballots, the precinct board shall, in the presence of any voters already assembled at the polling place, display the locked ballot box. Thereafter, the ballot box shall not be removed from the polling place or from the presence of any voters until the polls are closed.

SOURCE: Law governing 3 GCA § 9115

Prohibited Activities

Members of the Precinct Board shall ensure that the following prohibited activities are adhered to within the precinct:

- Wearing any election paraphernalia (i.e. shirts hats, buttons, etc.) related to candidates, parties, or referenda that are intended to influence the election.

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- ❑ Interacting with voters while in the voting booth except when asked to provide assistance in marking their ballot.
- ❑ Watching voters mark their ballots
- ❑ Having conversation about candidates, parties or ballot questions
- ❑ Using cellphones for voice calls while in the voting area
- ❑ Using video or still cameras to record how any voter has voted
- ❑ Solicitation in the voting area

SOURCE: Law governing 3 GCA § 9111

Electioneering

Electioneering is any activity intended to influence voting at an election. No person shall do any electioneering on Election Day within one hundred (100) feet of any entrance and/or exit of any polling place. In the case of a school, the entrance is hereby defined as the entrance gate, if the school is fenced. The Commission may, on a case-by-case basis and limited to the election then forthcoming, create an exception to this Section through resolution in order to safely conduct the election. Notices identifying the newly set perimeter also shall be clearly posted at the polling place(s) affected.

SOURCE: Law governing 3 GCA § 9112

Solicitation of Votes at Polling Place Prohibited.

Enforcement of 3 GCA § 9112 rests with the Precinct Officials and the Guam Police Officer assigned to the precinct. Anyone who has actual knowledge of any person soliciting votes on behalf of any candidate or speaking against any candidate should report the violation to a member of the precinct board. “Polling place” refers to the whole area where voting takes place including entire grounds of schools or other public buildings utilized as a polling place.

SOURCE: Rule governing 6 GARR § 1209

Absence of Precinct Official

In the event a Precinct Clerk or the Leader fails to appear on Election Day, a precinct official should immediately notify the Commission for the vacancy to be Filled. The Precinct Leader shall use Form EC-18, Record of Poll Status / Precinct Official Report, to document the name of any Precinct Official who fails to report on Election Day, record the substitute’s name, and make notations regarding any unusual situations that may arise. (Form EC-18 is also the form to document the time the polling place was declared open.) The Precinct Leader shall also record in the Precinct Log Book the name of the absent precinct official and the name of the person who Filled that vacancy.

SOURCE: Law governing 3 GCA § 9117

■ **Before the Polls Open**

All Precinct Officials shall report on Election Day to their assigned precincts no later than 6:00 a.m. As polls will be open an hour after arrival at the polling place, it is imperative that Precinct Officials work diligently and cooperatively as a team to be ready at 7:00 a.m. when voting officially begins.

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- SOURCE:** Rule governing 6 GARR § 1201

26 Counting Supply of Ballots:

- 27 □ Retrieve the Ballot Inventory Sheet Form EC-13 and Ballot Inventory Sheet
28 (Provisional) Form EC-13P.
- 29 □ Retrieve ballot packages and place aside with Forms EC-13 and EC13P. Packages are:
 - 30 ○ One (1) labeled Partisan;
 - 31 ○ One (1) marked Non-Partisan;
 - 32 ○ One (1) labeled Provisional Partisan; and,
 - 33 ○ One (1) marked Provisional Non-Partisan.
- 34 □ Open the package labeled Partisan and count the number of ballots in stacks of 25
35 (this may make it easier in the event a second count is necessary). Compare the total
36 counted to the number shown on Ballot Box/Supply Box and Ballot Transfer Record
37 Form EC-16. Any difference between the precinct count and that shown on Form EC-
38 16 should be entered on Form EC-13. If there is no difference, enter the count. It is
39 **important** that all Five precinct Officials attest to the count. Place partisan ballots
40 aside.

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- Repeat the same process outlined in “Counting supply of ballots” for the Non-Partisan, Provisional Partisan, and Provisional Non-Partisan ballots. Again, all Five precinct Officials must attest to the number of ballots received and counted. Make certain to record the numbers on appropriate lines in PART I(A) of Partisan Form EC-13, Non-Partisan Form EC-13 and Provisional Form EC-13P, and Part III(D) of Provisional Form EC-13P.

- Any **Absentee Ballot Envelopes** from voters received by the GEC before Election Day will be delivered in the supply box. Count the number of Absentee Ballot Envelopes received. Verify the count against the number indicated on the Absentee Ballot Transfer/Receipt Form EC-15. Record the number of Absentee Ballot Envelopes received on Part I (B) of Form EC-13. GEC presumes that all absentee ballot envelopes contain ballot(s). Securely place absentee ballot envelopes back in the supply box. Any Absentee Ballots received by GEC throughout Election Day will be delivered to the respective precincts.

If printed ballots are available, precinct Officials may count and verify the total number of unused ballots assigned to them on election day. Each official must attest to the accuracy of their count by signing a verification form. All counted ballots for each precinct will be packaged together with the signed attestation to ensure accountability and custody.

■ Opening the Polls

The Precinct Leader must ensure everyone is at his or her assigned place and ready to receive voters. The Precinct Leader will record the time he/she declared the polling place open, and the names of any substitute Precinct Official(s) on the Record of Poll Status / Precinct Official Report EC-18. Barring any delay and promptly at 7:00 a.m., the Precinct Leader will proclaim clearly and loudly, “THE POLLS ARE OPEN.” The Precinct Leader shall display the empty ballot boxes to voters already present before proceeding to lock the boxes before the First ballots are cast. Ballot boxes shall remain locked throughout Election Day, and shall not be removed from the polling site until after the polls close.

■ Voting Procedures

The GEC continually works to maintain public confidence in the democratic process and to ensure that Election Day runs as smoothly as possible. To promote uniformity in the electoral process, the GEC has developed voting procedures for members of the precinct board to follow as prescribed by Public Law 31-61.

Reporting of Name and Signing of Roster

A person desiring to vote shall state his or her full name and address to the precinct Officials at the polling place. After verifying the person’s identity and determining that the person’s name appears as a registered voter on the precinct roster, the precinct Officials shall clearly and loudly announce the person’s name. If no person challenges the person’s right to vote, or if, after a challenge, the precinct board determines that the challenged person is entitled to vote, the person shall be required to sign the roster and then be permitted to vote. In the case

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of a person who is unable to sign the roster, a precinct official shall so note that fact on the roster, and two (2) other precinct board members shall initial the entry. The person shall then be permitted to vote. Any person whose right to vote is denied by the precinct board may immediately appeal the decision to the Commission and, if unsuccessful, to the Superior Court of Guam.

SOURCE: Law governing 3 GCA § 9126

A Precinct Clerk should courteously ask the voter for a photo identification card (ID). Verify the ID card against the information shown in the signature roster. Ask the voter to state his/her name, date of birth and mailing address.

Acceptable Forms of Photo Identification:

- ☐ Driver's license or ID card issued by a state or possession of the United States; provided that it contains a photograph and information showing name, date of birth, sex, height, eye color and address;
- ☐ ID card issued by federal, state or local government agencies or entities; provided that it contains a photograph and information showing name, date of birth, sex, height, eye color and address;
- ☐ Native American Tribal photo identification card
- ☐ School ID card with a photograph;
- ☐ Voter registration ID card; U.S. Military ID card or draft record; military dependent's ID card;
- ☐ U.S. Coast Guard Merchant Mariner card; or
- ☐ An identification card that is compliant with the provisions of the Real ID Act of 2005.

SOURCE: Rule governing 6 GARR § 1216 (5)

Once it is certified that the voter's name appears on the roster the Precinct Clerk shall announce the name of the person who is next in line to vote.

E.g.: "Juan Cruz is now voting"

Using a straight-edge ruler, the Precinct Clerk shall cross out the voter's name and data on the Original Voter Signature Roster with a red-ink ball-point pen. The Precinct Clerk will then have the voter sign on the proper line next to the voter's name with a blue or black pen.

Voter's Change of Name

If the full name or surname of any person desiring to vote has been legally changed since that person registered, that person shall report both his or her name as it was before the change, and his or her name as it is at the time of the election; provided, that the person presents to the precinct Officials a legal document or other satisfactory written proof of the name change. The precinct board shall thereupon make the necessary adjustment in the register, indicating the reason for the change therein, and thereafter permit the person to vote.

SOURCE: Law governing 3 GCA § 9127

Once the voter's change of name has been verified, the precinct board member shall issue form EC-20A to the voter which shall then be Filled out and submitted to the precinct board

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member. Both the Precinct member and the voter shall sign the EC-20A form. The EC-20A form is to be submitted to the Commission staff at election return center along with all other election forms.

Voter Instructions

Before issuing a ballot, the Clerk should advise the voter to read the instructions printed on the ballot and also must give verbal instruction to how a voter should mark their ballot(s). The commission shall provide ballot instruction cards to each precinct.

- Precinct Officials are to explain the instructions in English or Chamorro only. When using the Chamorro language, the Precinct Official shall verbally communicate only those instructions outlined in the ballot instruction card. Any other communication with the voter is subject to penalty. After verbal instructions are completed, the Precinct Leader or Clerk should direct the voter to the voting booth.

One Ballot to Each Voter

- Only one (1) ballot or one (1) set of ballots shall be given to each voter

SOURCE: Law governing 3 GCA § 9128

Number of Persons Permitted in the Voting Booth

Booths shall not be occupied by more than one (1) person at a time, except as provided by 3 GCA § 9136. Voters shall not remain in or occupy a booth longer than is necessary to mark their ballots.

Voting in Booth

Upon receiving a ballot or set of ballots, the voter shall forthwith, and without leaving the enclosed area, proceed alone to one (1) of the designated places, booths or tables provided to prepare his or her ballot.

SOURCE: Law governing 3 GCA § 9131

Immediately following Certification, a voter is not permitted to leave the enclosed space until the voter has properly deposited his or her ballot(s) into the ballot box(es)

SOURCE: Rule governing 6 GARR § 1213

Spoiled Ballot Procedure

Any voter who spoils his or her ballot can request another ballot. Before issuing the voter another ballot, however, Precinct Officials are to take the spoiled ballot from the voter and deface it by writing a large “X” in ink and place it into the designated (partisan or non-partisan) Spoiled Ballot Envelope. DO NOT INSERT ANY SPOILED BALLOT IN ANY BALLOT BOX. All spoiled ballots shall be counted and placed and sealed in an envelope endorsed “Spoiled Ballots,” and returned to the Election Return Center along with the roster, ballot boxes, unused ballots, and all other documents, materials and supplies at the closing of the polls.

SOURCE: Law governing 3 GCA § 9138

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Any voter who spoils a ballot may return it to a member of the precinct board and receive another in its place, one (1) at a time, not to exceed three (3).

SOURCE: Law governing 3 GCA § 9137

Processing Absentee Ballots

At any time between the opening and closing of the polls on Election Day, the precinct board shall announce the absent voter's name, and compare the signature between that shown upon the application and the signature upon the Affidavit. The precinct board shall determine if the Affidavit is sufficiently executed, that the signatures correspond, that the applicant is a duly qualified elector of the precinct, and that the applicant has not voted in person at such election, and open the outer or carrier envelope and the return envelope. The board shall then deposit the unopened ballot envelope in the ballot box. Upon depositing the unopened ballot envelope in the ballot box, the board shall indicate on the signature roster next to the voter's name that such voter has voted absentee.

SOURCE: Law governing 3 GCA § 10117

On Election Day the Commission shall deliver, if there are any, absentee ballots and Affidavits to the precinct(s) along with the Absentee Ballot Transfer Receipt (Form EC-15). The precinct board shall immediately take inventory of all absentee ballots received. Should the name(s) or number of absentee ballots received differ from that shown on Form EC-15, the precinct board shall record the difference on Form EC-15 and immediately notify the Commission. Form EC-15 shall be submitted to Election Commission staff at the tabulation center. The precinct Officials prior to the closing of the polls shall cross check the names of absentee voters listed in Form EC-15 against the signature roster. This ensures that all absentee voters have been properly processed.

SOURCE: Rule governing 6 GARR § 1302

Any Absentee Ballot Envelopes received by the precinct must be processed early on or during the day when time permits and before polls close. (More Absentee Ballot Envelopes may be delivered by GEC anytime throughout the day.) The procedures are:

1. Members of the Precinct Board shall announce the name of the absentee voter shown on the reverse side of the absentee ballot envelope. This allows for any possible challenge of the absentee voter.

E.g. "Maria Cruz voted absentee."

2. After announcing the Absentee Voter's name, the Precinct Board Members shall Find the name of the voter on the Voter Signature Roster. On the line provided for the voter's signature write in, "VOTED ABSENTEE," and strike out the voter information with a red-ink pen.
3. The Precinct Board Members, will then unseal the Absentee Ballot Envelope, remove the inner envelope and insert it into any of the ballot boxes. (The inner envelope shall not be opened) Place the empty Absentee Ballot Envelope in the supply box.

The above procedures shall be followed for each absentee ballot envelope received.

Cause for Rejected Ballots

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In the event the Affidavit is found to be insufficient, or the signature on the Affidavit and the application do not correspond, or the applicant is not a duly qualified elector in such precinct, or the ballot envelope or return envelope is open or has been opened and resealed, or the return envelope contains more than one (1) ballot envelope with ballots enclosed, or that said voter has voted in person, such ballot shall not be accepted or deposited in the ballot box.

SOURCE: Law governing 3 GCA § 10118

Rejected Ballots

Every ballot not accepted shall be endorsed on the back of the ballot envelope “Rejected because _____ (giving reason therefore).” such rejected ballots shall be enclosed and securely sealed in an envelope on which the precinct board members shall endorse “Defective Ballots,” with a statement of the precinct in which, and the date of the election at which, the ballots were cast. Said envelope shall be signed by the members of the precinct board and returned to the Commission at the Election Return Center after the polls close.

SOURCE: Law governing 3 GCA § 10119

Leave of Absence from Employment to Vote

Every voter shall be entitled, on the day of every election at which he or she is entitled to vote, to absent himself or herself from any service or employment in which he or she is then engaged or employed for two (2) consecutive hours between the time of opening and the time of closing of the polls. The voter shall not be liable to any penalty, nor shall any deduction be made on account of such absence, from his or her usual salary or wages, nor shall the voter be suspended or discharged from his or her service or employment. Any violation of this provision shall be reported to the Guam Department of Labor for enforcement, and may subject an employer to pay a Fine. A voter who unilaterally absents himself or herself from employment for the purpose of voting shall provide to his or her employer evidence from GEC that he or she had voted during the hours of his or her absence.

SOURCE: Law governing 3 GCA § 9125

Written Evidence

Written evidence shall be provided to each voter upon request as proof that he or she had voted during the hours of his or her absence from employment. Form EC-27 shall be provided to voters and shall indicate:

- ☐ Time of Voting
- ☐ Polling location
- ☐ Precinct Number

SOURCE: Best Practice since August 2014

■ **Assistance to Voter**

- a) A voter may request assistance in voting to the precinct board, and assistance shall be granted thereby only if a voter is blind, physically disabled, or unable to read or write.
- b) If a voter is granted assistance, the voter shall be accompanied into the voting booth by one (1) precinct official and another person designated by the voter. If a voter with

a physical disability Finds it unduly burdensome to enter the polling place, the ballot may be completed within one hundred (100) feet of the polling place. A precinct official shall read the ballot to the voter who shall indicate his or her choices. Such choices shall be properly marked by the attending precinct official while under the observation of the other person designated by the voter. Any registered voter who enters the public grounds containing the polling place, but for some reason is unable to enter the polling place itself, and who is capable of reading and marking the ballot without assistance, shall be given the opportunity to vote.

- c) Any member of a precinct board rendering assistance to a voter is hereby prohibited from revealing any of the votes cast by such voter.

SOURCE: Law governing 3 GCA § 9136

Best Practices for Assisting Persons with Disabilities

- Federal and Guam law permits voters with disabilities to be accompanied and to receive assistance by another person in the voting booth.
- Remember that all voters deserve courteous attention in exercising their right as citizens to vote.
- Be considerate of the extra time it might take for a person with a disability or an elderly person to get things done.
- Give unhurried attention to a person who has difficulty speaking.
- Speak directly to the person who has a disability rather than just to a companion who may be accompanying him or her.
- Speak calmly, slowly, and directly to a person who is hard of hearing. Your facial expressions, gestures, and body movements help in understanding. Don't shout or speak in the person's ear. If full understanding is doubtful, try writing a note to the person.
- Pre-printed signs or a notepad should be available to assist communications with deaf or hard-of-hearing electors.
- Before pushing someone in a wheelchair, ask if you may do so and how you should proceed.
- Greet a person who is visually impaired by letting the person know who and where you are.
- Provide a guiding device such as a ruler or a signature guide for signing forms.
- When offering walking assistance, allow the person to take your arm and tell him or her if you are approaching steps or inclines or are turning right or left.
- Animals that assist people with disabilities must be admitted into all buildings. Such animals are highly trained and need no special care other than that provided by the owner.

■ Accessible Voting

Accessible voting is permitted only for those individuals who are not physically able to enter to vote within the designated polling area. Two Clerks are required to exit the polling area to service the Accessible voter. Procedures for Accessible voting are:

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1. If an elector wishes to vote Accessible, the Precinct Clerk shall request for the identification card of the Accessible voter, and verify with the voter roster if the elector is a registered voter.

- Once the Precinct Clerk verifies the voter's name in the voter roster, the Precinct Clerk shall announce to the precinct the name of the voter requesting to vote Accessible.

i.e. "Juan Cruz is voting Accessible"

2. If there are no challenges, the precinct leader, accompanied by one precinct clerk, shall proceed to the designated Accessible voting area and verify that the identification provided is that of the Accessible voter.
3. The precinct leader shall have the Accessible voter sign on the Accessible/Provisional Signature Roster sheet (Form EC-28).
4. The precinct leader shall administer the voter instructions to the Accessible voter and allow the voter to vote in secret.
5. When the voter has completed his or her ballot(s), the voter shall place the ballot a security sleeve and return it to the precinct leader.
6. The precinct leader shall return to the precinct with the voters ballot inside the security sleeve and announce

i.e. "I have Juan Cruz's ballot(s)"

7. The precinct leader shall then proceed to deposit the Accessible voter's ballot(s) into the ballot box, in such a way that upholds the secrecy of the ballot. such a manner that he or she cannot see

NOTE: Poll watchers are permitted to observe the Accessible voting process.

■ Conduct of Media

The following rules of conduct shall be adhered to by all media personnel at all polling places:

1. Video or still cameras may not be used to record how any voter has voted.
2. Contact with electors in the voting areas should be limited. This includes interacting with voters who are waiting in line to check-in and/or cast their ballots.
3. Interviews should be held outside of the voting area to ensure doors and entrances are not blocked and the voting process is not disrupted. Election Officials should make sure that media is briefed about acceptable conduct. Members of the media are strongly encouraged to conduct the majority of their activities outside of the room where the election is being conducted. It is the responsibility of the election Officials to deal directly with any media person who is harassing voters.

■ Photography/Videography

Use of still video cameras in the polling area during voting hours is prohibited. This prohibition does not apply to members of the media or polling place accessibility auditors.

■ Rules for Poll Watchers

A ‘Poll Watcher’ representing each of the recognized political parties on Guam is allowed to be present twelve (12) feet and within hearing distance of the Clerks in each precinct. The Five (5) Precinct Officials are responsible for ensuring the policies regarding Poll Watchers are strictly enforced:

1. Upon arrival at the polling place, the Precinct Leader will determine where Poll Watchers will be situated but at no time during Election Day can they be located or seated within the barricade or defined voting areas. In polling locations where ample space is not available, the Precinct Leader may assign Poll Watchers to be positioned outside but near an entrance and within hearing distance of the Precinct Clerks as they announce a voter’s name. **Precinct Clerks must clearly and loudly state a voter’s name.**
2. Poll Watchers are not allowed to enter any voting booth at any time. They are also not allowed throughout Election Day to approach the designated area where ballots are kept and where ballot boxes are positioned. Poll Watchers shall maintain a distance of twelve (12) feet between themselves and the voting area, voting booths, ballots and ballot boxes.
3. Poll Watchers are not allowed to interfere at any time with the duties of Precinct Officials and shall be subject to removal by the Precinct Leader or the GEC. Assistance in removing a Poll Watcher may be obtained from the attending Guam Police Officer assigned to the precinct after consultation with the Guam Election Commission.
4. Poll watchers are prohibited from accessing the Official Voter Signature Roster and all other official voter documents.
5. Poll Watchers shall not solicit a vote, ask to see identification documents of voters, speak with a voter regarding the marking of his/her ballot, or participate in any activity related to campaigning. Any infraction herein should be immediately reported by the Precinct Leader to the GEC or the assigned Guam Police Officer.
6. Poll Watchers are prohibited from campaigning verbally. They are also not allowed to carry or wear any campaign-related articles such as emblems, t-shirts, hats, pens, or any other campaign paraphernalia signifying or identifying a political affiliation with a particular party or candidate(s).

SOURCE: Board Policy 8/5/1986

■ Provisional Voting

Provisional ballot is a ballot issued at the polling place on Election Day for any reason authorized by the Help America Vote Act, and other applicable federal or Guam laws granted to a person who otherwise would be denied an opportunity to vote on a regular ballot.

SOURCE: Law governing 3 GCA § 14101

Qualifications

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A person who would otherwise be denied an opportunity to vote a regular ballot may vote a provisional ballot for any reason authorized by the Help America Vote Act, and other applicable federal and Guam laws, including, but not limited to, the following:

1. The person's name does not appear in the precinct signature roster which lists all registered voters within the polling area;
2. There is an indication in the precinct signature roster that the person has requested an absentee ballot, but wishes to vote at the polling place;
3. The person is voting during polling hours that have been extended by court order; or
4. Any other reason outlined in statute.

Unless otherwise prohibited under the election code, any voter who has been challenged and not resolved may be issued a provisional ballot.

SOURCE: Law governing 3 GCA § 14103

Before Issuing Provisional Ballots

- a) Before issuing a provisional ballot the precinct board must make every effort to determine a voter's registration status and correct polling location by:
 1. Reviewing the list of all registered voters in the precinct;
 2. Reviewing the list of all registered voters in the polling area; and
 3. Contacting the Commission at its headquarters to make the Final determination of voter registration status and polling location; in the event attempts to contact Election headquarters by precinct Officials are unsuccessful, the Precinct Leader must document the times, the names of the precinct Officials who made the attempt and the name of the provisional voter in the precinct log. Prior to executing the provisional ballot.
- b) If the voter is registered in another polling location and it is determined by both the precinct official and the voter that the voter will not reach the correct polling location in time to cast a regular ballot before polls close, the precinct official shall offer the voter a provisional ballot.
- c) To assist the precinct boards in determining a voter's registration status and correct polling location, the Commission shall provide each precinct with a:
 1. List of all registered voters in the precinct;
 2. List of all registered voters in the polling area;
 3. Directions to all polling locations; and
 4. Commission contact information so the provisional voter can ascertain the status of his or her provisional ballot
- d) Precinct board members shall inform the Commission at its headquarters of all provisional ballots issued before the close of the polls. All provisional ballots issued

must be documented in detail in the precinct log which will be submitted to Election Commission staff at the tabulation center.

SOURCE: Rule governing 6 GARR § 1402

Refusal

Only when such a person refuses to proceed to the correct polling location, or, if in the shared judgment of the precinct official and the potential voter, the person will not reach the correct polling location in time to cast a regular ballot before polls close, shall the precinct official offer the person a provisional ballot.

SOURCE: Law governing 3 GCA § 14104

Processing Provisional Ballots.

a) If a potential voter wishes to vote but does not appear in the register, and precinct board members have exhausted all efforts to determine the voters registration status and polling location as prescribed in 6 GAR § 1402 (a), the following procedures must be strictly followed:

1. The precinct leader shall issue the voter a Provisional Ballot Affidavit Envelope to complete. The voter must Fill the in required information and sign the affirmation in the presence of the precinct leader.
2. The precinct leader will write on the Provisional Ballot Affidavit Envelope the reason(s) for issuing that provisional ballot.
3. The precinct leader shall then provide the voter a ballot with the words “Official Provisional Ballot” printed at the top, along with a Ballot Envelope. The provisional voter is required to sign the receipt of the provisional ballot(s) on the back of the signature roster. When signing receipt for a provisional ballot, the provisional voter must indicate his or her name, date of birth, mailing address, residential address.
4. After receiving his or her voting instructions the provisional voter may proceed to the voting booth to vote in secret
5. The precinct official shall instruct the provisional voter to place his or her completed provisional ballot in the Ballot Envelope provided, seal it, and then insert it in the Provisional Ballot Affidavit Envelope and seal it. Precinct Officials are prohibited from opening the Provisional Ballot Affidavit Envelope. A precinct official must notify the Commission headquarters after a provisional ballot is completed. The precinct official will put the Provisional Ballot Affidavit Envelope in the supply box until further instructions are received from the Commission.
6. The precinct official shall provide the provisional voter Commission contact information in the event he or she wishes to ascertain the status of his or her provisional ballot. Provisional ballots are not to be cast into the ballot boxes, unless upon the direction from the Commission headquarters as confirmed by two precinct Officials.

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7. At tabulation center precinct Officials shall surrender all provisional ballot Affidavits along with Provisional Ballot Transfer Receipt (Form EC-15P) to Election Commission staff at the tabulation center.

b) The disposition of a voter's provisional ballot must be completed and signed by the Executive Director to the Commission within ten (10) days after any election.

SOURCE: Rule governing 6 GARR § 1403

Posting Instructions

Provisional ballot guidelines will be posted at each polling site and at the Guam Election Commission office. These guidelines will include an explanation of what a voter should do before casting a provisional ballot in order to increase the chances of the provisional vote being counted. An explanation sheet will be provided to provisional voters that defines their status, the criteria used to qualify their ballot, how the provisional voter will be contacted regarding the Final disposition of the ballot, and the fact that a provisional voter may appeal the disqualification of their ballot.

SOURCE: Law governing P. L. 31-061

Security of Provisional Ballots

Completeness of Provisional Ballot Envelope. The precinct official shall ensure that all the required information is completed on the outer envelope, signed by the provisional voter in the appropriate space, and then place the envelope in a secure container.

The Secure container shall be displayed, and shall not be removed from the polling place or from the presence of any voters until the polls are closed.

SOURCE: Law governing 3 GCA § 14104 (j)

■ Challenges

Grounds for Challenge

A person present to vote may be orally challenged by any voter of the same precinct upon any or all of the following grounds:

- a) that he or she is not the person whose name appears on the register;
- b) that he or she is not a resident of Guam;
- c) that he or she is not a citizen of the United States;
- d) that he or she is not a resident of the precinct at which he or she is voting;
- e) that he or she has voted that day;
- f) that he or she voted in another precinct; and
- g) that he or she voted in another U.S. jurisdiction.

SOURCE: Law governing 3 GCA § 9118

Examination of Person Challenged.

The precinct board shall immediately examine on oath the challenged individual and his or her witnesses, if any, together with the voter who called the challenge and his or her witnesses, if any. The precinct board may give the voter challenged and the voter who offered

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the challenge time to present witnesses wherever possible, but in no event shall such time be granted so as to prevent the precinct board from rendering a decision prior to the time for closing the polls.

The voter or the challenger may appeal the decision of the precinct board to the Commission. The Commission shall, as soon as possible, hear the appeal and shall examine the oaths of the voter and the challenger and hear the witnesses, if any. The Commission shall make its decision prior to the time for the closing of the polls. Either the voter or the challenger may appeal the decision of the Commission to the Superior Court.

SOURCE: Law governing 3 GCA § 9119

Processing Voter Challenges

The Precinct Leader shall administer the oath to the challenger, the voter being challenged and any witnesses present from both sides.

Inform the party(s) to raise his or her right hand:

- ☐ Ask, “Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?”
- ☐ The response(s) must be “I do,” or “Yes.”
- ☐ The Precinct Leader shall have the challenger complete the Entry of Challenge Form EC-14. Similarly, the Precinct Leader shall have the voter being challenged complete the Challenge Rebuttal Form EC-14A.
- ☐ The Precinct Leader and two (2) Precinct Clerks must address the challenge immediately, and resolve the matter on-site as soon as possible. Be reminded that the challenged voter must be given the opportunity to present any witnesses or evidence in support of his/her and/or eligibility to vote.
- ☐ The three precinct Officials must rule promptly in order to allow the challenged voter to cast his or her ballot if the decision is in his or her favor.
- ☐ If, on the other hand, the ruling favors the challenger, the challenged voter shall be allowed to vote Provisional Partisan and Provisional Non-Partisan ballots.
- ☐ The challenger or the challenged voter may appeal any decision by the precinct board to the Guam Election Commission using the GEC Administrative Complaint Form which can be found in the precinct binder. The Precinct Leader shall immediately notify GEC about any impending appeal.

Refusal to be Sworn or to Answer

If the voter challenged refuses to take the oath tendered, or refuses to be sworn and to answer questions regarding the matter of the challenge, he or she shall not be allowed to vote.

SOURCE: Law governing 3 GCA § 9120

Voter Challenge Procedures

The precinct board shall address any challenge by a voter for any reason cited in 3 GCA § 9118. The challenge must be duly and fully documented by the precinct board on the Entry of Challenge Form (EC- 14) which shall be surrendered to the Commission staff at the tabulation center. The appeal of the voter or the challenger must also be duly and fully documented by the precinct board and reported on the Challenge Rebuttal Form (EC-14A). The precinct board member(s) shall inform the Commission at its headquarters of any challenges recorded before the close of the polls.

Members of the precinct board shall inform the voter and the challenger that he or she may appeal the decision of the precinct board to the GEC board of Commissioners and that the board's decision may then be appealed to the Superior Court of Guam.

SOURCE: Rule governing 6 GARR § 1211

Absentee Voter Challenges

The provisions of 6 GARR § 1211 shall apply in the case of a challenge of a voter's absentee ballot

SOURCE: Rule governing 6 GARR § 1303

■ **Administrative Complaints**

Who Can File

Any person who believes that there has been a violation, there is a violation, or a violation is about to occur of any provision of Title III may File an administrative complaint.

SOURCE: Rule governing 6 GARR § 1503

Where and When to File

All administrative complaints shall be sent to the Guam Election Commission (GEC), or delivered in person to the GEC's main office

A complaint shall be Filed within sixty (60) days after the occurrence of the actions or events that form the basis for the complaint, or within ninety (90) days after the Complainant becomes aware of the actions or events, whichever is later.

SOURCE: Rule governing 6 GARR § 1505

Complaints Filed at the Precincts

Any person wishing to make an administrative complaint on Election Day may do so at the precincts.

Processing Complaints Filed at the Precincts

The precinct member shall offer any person wishing to make a complaint an administrative complaint form (Form EC-49) and notify the GEC headquarters that a complaint is being made. The precinct member shall then verify the person's identity and, in the presence of the precinct board member, the complainant shall sign the affirmation portion of Form EC-

49. The precinct board member shall then notarize the EC-49 form and secure it in the supply box. All administrative complaints shall be submitted to GEC staff at the Election Return Center.

Record of Complaint

The Guam Election Commission shall compile and maintain an official record in connection with each complaint Filed. The official record shall contain:

1. A copy of the complaint, including any amendments;
2. A copy of any written submission by the Complainant;
3. A copy of any written response by any Respondent or other interested person;
4. A written report of any investigation conducted by agents of the Guam Election Commission or of any local election official, who may not be directly involved in the actions or events complained of;
5. Copies of all notices and correspondence to or from the Guam Election Commission in connection with the complaint;
6. Originals or copies of any tangible evidence produced at any hearing conducted at the request of the Complainant;
7. The original tape recording produced at any oral hearing conducted, and a copy of any transcript produced; and
8. A copy of any Final determination.

SOURCE: Rule governing 6 GARR § 1506(c)

Election Campaign and Campaign Offenses

It is the duty of every voting citizen and precinct official to report any offense as listed in Chapter 8 of Title 3 GCA. It is the responsibility of precinct Officials to document all complaints and ensure the complainant is given ample opportunity to complete the Administrative Complaint (EC-49) Form. The precinct official shall notify the Commission immediately following each Filing of an Administrative Complaint. The Commission will take appropriate action by investigating and reporting the infraction to the Attorney General.

SOURCE: Rule governing 6 GARR § 1217

The Administrative Complaint procedures shall be in accordance with Article V of Title 6 GARR.

■ Closing the Polls

ALL PRECINCT OFFICIALS MUST BE PRESENT FOR THE CLOSING OF THE POLLS. The following procedures are to be carried out in the closing of the polls:

- Promptly at 8:00 p.m., the Precinct Leader will declare clearly and loudly, “The polls are closed.” Voters who may be waiting in line at 8:00 p.m., however, must be allowed to vote.

ELECTION DAY

- The Precinct Leader shall assign a Precinct Clerk to stand at the end of the line and inform anyone arriving later that polls are closed or stop anyone who may attempt to breach the line after 8:00 p.m.
- Do not shut door(s) or window(s) even though polls have closed. a barricade shall be placed to prevent unauthorized individuals from entering.
- Poll Watchers are not allowed within the precinct area after the polls close; they must remain on the opposite side of the barricade.

SOURCE: Law governing 3 GCA §§ 9143 & 9144

■ After the Polls Close

All Precinct Officials within each precinct shall assemble at one table. The Precinct Leader shall ensure that all black pens are collected and put away securely and away from the table except for a red pen(s) or marker(s) provided by the Guam Election Commission. All other writing instruments on the table are prohibited.

Accounting for Ballots.

Every precinct board shall account for all ballots delivered to that precinct by returning all unused ballots which, when added to the number of ballots cast and the number of spoiled ballots returned, shall equal the total number of ballots assigned and delivered to that precinct. The Commission, upon receiving all the ballots, shall require such an accounting prior to tabulating the returns of the precinct.

SOURCE: Law governing 3 GCA § 9140

The following are procedures for securing the ballots which must be carefully followed before Precinct Officials, ballot boxes, and all documents/supplies are transported from the polling place.

□ **PROCEDURE FOR SPOILED BALLOTS**

“Spoiled Ballot” means an official ballot improperly or erroneously marked and returned by a voter who, in turn, requests for another ballot.

The precinct board members shall record the number of spoiled partisan and non-partisan ballots inventory Form EC-13. The number Spoiled Provisional ballots shall be recorded on Form EC-13P

STEP 1. Remove and count all spoiled ballots contained in the SPOILED BALLOT ENVELOPE. These ballots should have already been defaced. If not, deface each spoiled ballot by writing a large “X” in ink. Record the number of spoiled ballots on Part II Line D of Form EC-13.

STEP 2. Place any spoiled ballots into the same SPOILED BALLOT ENVELOPE. Write the total number on the front of the envelope and seal with tape. Each Precinct Official must sign across the taped portion. Place the SPOILED BALLOT ENVELOPE in the supply box.

ELECTION DAY

REPEAT steps one and two for any Non Partisan and Provisional spoiled ballots.

□ **PROCEDURE FOR UNUSED BALLOTS**

“Unused ballot” means an official ballot not used or is left-over on Election Day.

The precinct board members shall record the number of Unused partisan and non-partisan in the ballots inventory Form EC-13. The number Unused Provisional ballots shall be recorded on Form EC-13P.

STEP 1: Deface each unused ballot by writing a large “X” in ink and count in stacks of 25 (this may make it easier in the event a second count is necessary).

STEP 2: Record the number of unused ballots on Line E of Part II, Form EC-13. Then add Lines (D) and (E) and enter the ‘Total Part II.’

STEP 3: Place defaced ballots in the envelope marked “UNUSED BALLOTS” If more than one (1) envelope is used, number each “1 of 2,” and “2 of 2”, for example. Record the grand total number of unused ballots on the face of Envelope No. 1. Seal all envelopes with tape and each Precinct official shall sign across the taped portion. Tape unused ballot envelopes together if there is more than one. Place the UNUSED BALLOTS envelope(s) in the supply box.

Delivery of Ballots to Election Return Center.

The locked ballot box, accompanied by the roster, all documents, all endorsements, and all ballots, including spoiled ballots, unused and defaced ballots, and rejected defective ballots shall be brought to the Election Return Center for tabulation. A representative of each political party, as authorized by the Commission, may accompany the locked ballot boxes and all other documents, supplies and materials from the precinct to the Election Return Center.

SOURCE: Law governing 3 GCA § 11107

Preparation for Departure to Election Return Center

- Collect all supplies and/or any potentially important notes you may have written. Do not destroy or discard anything.
- Be sure that all ‘EC’ forms are in their proper order for processing at Election Return Center. (GEC requests that precinct Officials ensure the room is in order before departure.)
- Transport of all Precinct Officials, ballot boxes and all other election documents and supplies to Election Return Center shall be in Government of Guam school buses only. The use of privately owned vehicles to transport ballot boxes, supplies and all Precinct Officials to the Election Return Center is strictly prohibited. Failure to conform will result in violation of Guam’s election law and may subject you to criminal charges.

ELECTION DAY

- ☐ The bus will not depart for Election Return Center until all other precinct Officials within the same polling site have completed their tasks and are ready to leave. Only precinct Officials and the assigned police officer are allowed to be transported on the bus. Precinct Officials may arrange to depart Election Return Center using private transportation. The bus will return to the polling site in the event Officials require transportation.
- ☐ The Precinct Leader must inform the assigned Guam Police Officer when all tasks are completed and secured and ready for transport to the Election Return Center. The Five (5) Precinct Officials must accompany the ballot box at all times and shall be escorted en route to Election Return Center by at least one (1) Guam Police Officer.
- ☐ Upon arrival at the Election Return Center, the Precinct Leader must ensure that all Precinct Officials within his/her precinct remain together as processing procedures will not begin until all are present.

Election Return Center Processing Procedures

Each precinct has to clear Five (5) processing stations. The processing procedures shall be in accordance with 3 GCA Chapter 11.

STATION 1 : PRECINCT OFFICIAL CLEARANCE

A GEC Clearance Officer will greet precinct members at the Election Return Center and will note order of arrival of each precinct. The Precinct Leader will be issued a "Precinct Official Clearance Sheet Form EC-42," indicating the time of arrival and names of those precinct Officials confirmed to serve Election Day.

The Precinct Leader shall verify the names of those Precinct Officials present that day. All Precinct Officials must sign the EC-42 form.

The Precinct Leader will also submit Forms EC-11 (oath of office) and EC-18 (record of poll status) at this station.

- When completed, the GEC Clearance Officer will sign the EC-42.

■

STATION 2 : UNLOCKING OF BALLOT BOXES

By law, only GEC Officials are permitted to unlock ballot boxes. The GEC official will sign Form EC-42 at this station and will direct Precinct Officials to a ballot reconciliation table.

STATION 3 : BALLOT RECONCILIATION

The following procedures must be adhered to in reconciling ballots:

PROCEDURE A: CAST BALLOTS

- STEP 1** Open the ballot box and remove all ballots including any absentee ballot envelopes.

ELECTION DAY

STEP 2 Review the documents to ensure they are all OFFICIAL ballots

STEP 3 Unseal and remove any ballot(s) contained in all absentee ballot envelopes. Place ballots removed from absentee ballot envelopes with official ballots cast on Election Day.

STEP 4 Begin counting the number of OFFICIAL ballots. GEC encourages precinct Officials to count twice (in stacks of twenty-Five (25) may be easier) for accuracy. Record the number on Line (F) Total Part III of Form EC-13.

STEP 5 Place Official ballots in the envelope(s) labeled CAST BALLOTS and record the total number contained on the face of each envelope. Do not seal the envelope(s) until all counts are verified.

STEP 6 Place unsealed cast ballot envelopes back into their appropriate ballot boxes.

PROCEDURE B: ORIGINAL VOTER SIGNATURE ROSTER

STEP 1 Count the number of signatures of voters who signed the original voter signature roster including those who voted 'Absentee' and 'Accessible'. Count each page twice to ensure accuracy and record the total number of each page at the bottom left-hand corner of each roster page. GEC recommends that two precinct Officials also keep separate tallies of each page.

STEP 2 Add all the numbers shown on the bottom left hand corner of each page and record the grand total of voters on line (G) TOTAL PART IV of the EC-13 forms. Any difference in numbers may require precinct Officials to repeat the counting process. The grand total number of voter signatures should correspond with the number of cast ballots as shown in Part I of Form EC-13.

Call the attention of any GEC official if precinct members require assistance with any unresolved discrepancy.

STEP 3 The precinct board shall indicate on the last page of the roster: (1) the number of voters (2) the following wording: "We the undersigned precinct Officials hereby certify that _____ (number of voters) appeared before us this ____ day of ____, 20____, and each did cast a ballot as is their right." (3) the Five (5) precinct Officials on duty shall place their signatures after the statement.

ELECTION DAY

STEP 4 After validation of all the counts, precinct Officials can then retrieve the Cast Ballot Envelopes from the ballot boxes and seal the envelopes with tape. All precinct Officials must sign over the taped portions of the envelopes and return them to the ballot boxes.

Ballots Exceeding Number of Signatures on Roster

If it is necessary for ballots to be extracted from the cast ballots and destroyed, an account of this act, including the number of ballots destroyed, and the precinct Officials giving authorization, should be written on the last page of the roster and also on Form EC-13 and submitted to Election Commission staff at tabulation center.

SOURCE: Rule governing 6 GARR § 1602

PROCEDURE C: SURRENDERING PROVISIONAL BALLOTS

The precinct leader after completion of the ballot reconciliation process, shall surrender all marked provisional ballots. The marked provisional ballots shall be recorded in the Provisional Ballot Transfer form EC-15P. The precinct leader shall affirm the number of provisional ballots being transmitted and a GEC official shall sign for receipt.

Once the precinct board has cleared the ballot reconciliation process and has surrendered all marked provisional ballots. The GEC official will clear the precinct board by signing the EC-42 form.

STATION 4: BALLOT BOX, SUPPLY BOX, AND EQUIPMENT INVENTORY RETURN

Please be prepared to surrender the precinct supply box and all other election-related materials to the GEC Clearance Officer at this station. Also surrender all Spoiled and Unused Ballot Envelopes. Proceed to the next and Final Station #5 upon clearance.

STATION 5: TRANSFER CUSTODY OF BALLOTS

At this station the Precinct Board shall transfer custody to the GEC all OFFICIAL Cast Ballots. The Precinct Leader signs the Clearance Sheet EC-42 once all ballots are in the custody of GEC. And when all is Finally completed, Precinct Officials can proceed to exit the GEC Office as directed by the Clearance Officer. Precinct Officials are not allowed in the central tabulation area.

Incomplete or Ambiguous Precinct Forms

Precinct board members are prohibited from leaving the clearance section of the tabulation center until all forms and inventories are completed. In the event a problem arises after precinct Officials have departed from the tabulation center, they may be subpoenaed and required to appear before the Commission

SOURCE: Rule governing 6 GARR § 1606

■ Tabulation

Place of Tabulation

ELECTION DAY

The Commission shall maintain within Guam an Election Return Center for the tabulation of votes and publication of returns.

SOURCE: Law governing 3 GCA § 11108

Ballots to be Tabulated

Only Cast Ballots that were received and affirmed from the members of the precinct board and reviewed by GEC Officials shall be tabulated on Election night.

Mode of Tabulating

The procedures for the tabulation process shall be in accordance with Title 3 GCA Chapter 11.

Ballot Not Rejected for Technical Error

The Election Commission will provide marked “Sample Ballots” of ways it anticipates voters might mark a ballot. If a voter’s ballot is marked differently and rejected by the tabulator, the tally crew must hand the ballot to the Commission Resolution Committee for Final determination and validity. If questions as to the validity arise in regard to a ballot, the Commission Resolution Committee may refer to the File of these samples.

SOURCE: Rule governing 6 GARR § 1604

The following procedures shall be adhered to in the event that damaged ballots cannot be read by (machine) tabulators and/or voter intent is to be determined:

- Any ballots that are to be replicated must be done by a Commissioner from each recognized political party and independent member with Legal Counsel present. Legal Counsel is to maintain a log of replicated ballots. The log shall contain the stock number and number assigned to the replicated ballot. The damaged ballot shall be sealed in an envelope with its corresponding log number written on the outside.
- The replicated ballot will then be given to the assigned (GEC Official) tabulator to be tabulated through the tabulation machine.
- All replicated ballots will be placed in a separate ballot box and secured with a lock.

Write-in Votes.

Persons authorized by the Election Commission to manually count rejected ballots shall count a write-in vote as valid only when the voting oval or other defined space provided adjacent to a write-in candidate's name is marked. Failure to mark the oval or other defined space renders the vote invalid.

SOURCE: Rule governing 6 GARR § 1605

How Votes are Tabulated

The manner in which votes are to be tabulated shall be in accordance with Title 3 GCA Chapter 11

Election Return Center Open until Tabulation Complete.

ELECTION DAY

1 The Commission shall, on the day of the closing of the polls, keep the Election Return Center
2 open for the tabulation of election results until each and every ballot has been received and
3 tabulated and the results thereof made public.

4 SOURCE: Law governing 3 GCA § 11123

5 *Unofficial Results Open to Public Inspection.*

6 Immediately upon completion of the tabulation by the Commission of all of the ballots from
7 all of the precincts, the unofficial election results shall be declared and available for public
8 inspection.

9 SOURCE: Law governing 3 GCA § 11122

10 *Securing Election Return Center*

11 Once it has been determined that each and every ballot has been tabulated, and the unofficial
12 results are made public, the GEC can proceed to secure the Election Return Center. The
13 following items shall be removed from the Election Return Center and secured at the GEC
14 main office:

- 15 ☐ Cast Ballots
- 16 ☐ Spoiled Ballots
- 17 ☐ Unused Ballots
- 18 ☐ Unofficial results
- 19 ☐ Tabulating Machines
- 20 ☐ Printed tabulation results from each tabulation machine
- 21 ☐ Precinct supplies and material

■ Tabulation of Absentee and Provisional Ballots

Place for Tabulation

The Commission shall designate and publish the time, place, and location and its intent to tabulate any absentee and provisional ballots ten (10) days after an election.

Notice of Tabulation

The Executive Director shall inform the Chairperson of each political party of the Commission's intent to tabulate the absentee and provisional ballots as prescribed in the Election Code of Guam.

Observation Section

There should be a restricted area for designated political party Officials and media outlet members to observe the tabulation process.

Provisional Ballots

Within ten (10) days after any election, the Commission shall count the provisional voter's choices for every race for which the voter was eligible to vote. When a provisional voter casts a provisional ballot in the incorrect precinct, election Officials shall count the votes on that ballot in every race for which the voter would be entitled to vote if he or she had been in the correct precinct.

Provisional Ballots as a Remedy for Incomplete or Deficient Registration Applications. Provisional ballots shall serve to remedy incomplete or otherwise deficient voter registration applications. In the event that a voter is denied the right to vote a regular ballot because of an incomplete or otherwise deficient voter registration application, the provisional ballot shall be used to complete said voter's application. The provisional voter shall be deemed registered as of the date of the original application. Within ten (10) days after an election, when the voter's application shall have been satisfactorily completed and deemed valid, the provisional ballot shall be counted.

SOURCE: Law governing 3 GCA § 14105

Absentee Ballots

The sealed returned envelope containing the ballot or set of ballots may be delivered to the Commission at its main office or its postal address at any time prior to the closing of the polls, and within ten (10) days after any election and by 5:00 p.m. on the tenth (10th) day after any election.

SOURCE: Law governing 3 GCA § 10114

Tabulation of Online Absentee Ballots

Unless online absentee ballots can be machine-tabulated, the Guam Election Commission (GEC) shall replicate such ballots received both before an election and within ten (10) days after an election. The replication process shall follow the same procedures outlined in this manual for "Ballots Not Rejected for Technical Error" to ensure accuracy and compliance

with election regulations. The GEC at its discretion may to use a ballot marking device to replicate ballots

SOURCE: Law governing 3 GCA § 10114

■ Recount

If the tabulation indicates that a difference in votes is two percent (2%) or less, the Commission shall conduct a recount of the votes. At the end of the recount all ballots shall be returned to the precinct envelopes and resealed with the majority of the Commission writing their names across the seal. The result of the recount shall immediately be made public as a recount.

SOURCE: Law governing 3 GCA § 11128

■ Certification of Election

In every election, except the primary election, the Guam Election Commission shall not certify the election results until the GEC makes a determination on all election complaints or causes for contest brought to the attention of the GEC within Fifteen (15) calendar days of the election. Thereafter, as soon as all the votes are counted and the ballots are sealed, the Election Commission shall certify the results of the election. The Final Certification and the seal on the ballot envelopes shall be signed by a majority of the Commission.

SOURCE: Law governing 3 GCA § 11128

Declaration of Results

Immediately after the Certification of all election results, the Commission shall declare elected to each office those persons having the highest number of votes for that office.

SOURCE: Law governing 3 GCA § 11127

■ Preparation of Election Certificates

Immediately after declaring Certification of the results of any election, the Commission shall make, or cause to be made, a “Certificate of Election” for every person elected to office. The form of such Certificates shall be prescribed in the Election Manual. The Commission shall cause to be placed in the hands of the elected person the original certificate which shall constitute evidence of the person’s right to office. The Election Commission shall preserve a copy of such certificate for a period of Five (5) years, and then may transfer the copies to the University of Guam Micronesia Area Research Center.

SOURCE: Law governing 3 GCA § 11128

■ Publication of Ballot Inventory

The Commission shall publish the inventory of ballots ordered, printed, utilized, retained, and destroyed as prescribed in 3 GCA § 7117.

■ Certified Election Results Posted

As soon as the Election Commission certifies the results of the election, it shall cause to be posted outside of the Election Return Center or the Commission’s office a certificate showing

POST ELECTION DAY

1 the results of the votes cast. The Final Certificates shall be signed by a majority of members
2 of the Election Commission.

3 SOURCE: Law governing 3 GCA § 11119

4 ■ **Preservation of Ballots**

5 The Commission shall be responsible for the preservation of all the ballots cast and all rosters
6 and Certificates delivered to it by the precinct boards for a period of Five (5) years after the
7 date of the election. The Commission shall be required to produce such ballots upon the order
8 of a court of competent jurisdiction, and shall obtain a receipt for any release from its custody.

9 SOURCE: Law governing 3 GCA § 11134

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 190-38 (COR)

As amended by the Committee on Economic Investment, Military Buildup,
Regional Relations, Technology, Regulatory Affairs, Justice, Elections and Retirement

Introduced by:

Telo T. Taitague

**AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF
THE GUAM ADMINISTRATIVE RULES AND
REGULATIONS, RELATIVE TO ADOPTING THE
UPDATED GUAM ELECTION MANUAL, PURSUANT
TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Election Commission (GEC), pursuant to its authority under 3 GCA § 2104, proposed updates to the Guam Election Manual. The proposed updates were reviewed and approved by the GEC Board of Commissioners during its board meeting held on April 14, 2025. In compliance with the procedural requirements of the Administrative Adjudication Law, the approved updates were later submitted to the Office of *I Magan'hågan Guåhan* and the Office of the Attorney General on June 27, 2025.

Following their review, both the Office of *I Magan'hågan Guåhan* and the Office of the Attorney General approved the proposed updates. The Attorney General determined that the revisions were constitutional, consistent with statutory authority, and in substantial compliance with the requirements of 5 GCA Chapter 9. The Attorney General found that the agency record satisfied most procedural elements but lacked documentation of website posting and advance public availability of the cost assessment. Despite these technical gaps, the Attorney General concluded that the Guam Election Commission had substantially complied

1 with the law and recommended either conducting an additional public hearing or
2 proceeding with formal adoption.

3 On September 2, 2025 the approved updates were transmitted to the Office of
4 the Speaker of *I Liheslaturan Guåhan*. Upon receipt, the proposed updates were
5 referred to the Committee on *Economic Investment, Military Buildup, Regional*
6 *Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement* on
7 September 11, 2025. In accordance with 5 GCA § 9303(b), the Committee
8 introduced the measure on September 12, 2025 and subsequently scheduled a
9 public hearing to receive testimony on the proposed updates to the Guam Election
10 Manual.

11 The proposed Guam Election Manual, attached hereto as Exhibit A, provides
12 comprehensive administrative guidance for the conduct of elections in Guam. It
13 outlines updated procedures for candidate filings, campaign finance reporting,
14 enforcement protocols, complaint resolution, and public transparency measures. The
15 revisions aim to enhance clarity, strengthen compliance, and align the Commission’s
16 operations with statutory mandates under Title 3 of the Guam Code Annotated. Key
17 improvements include streamlined filing instructions, clarified enforcement
18 mechanisms, improved definitions, and adjustments to reporting timelines and
19 thresholds. The manual also incorporates provisions to support digital submission
20 processes and public access to election-related information. These updates are
21 intended to improve consistency, accountability, and accessibility for candidates,
22 political committees, and the public.

23 **Section 2. Adoption.** Therefore, it is the intent of *I Liheslaturan Guåhan* to
24 formally adopt the revised Guam Election Manual, attached hereto as Exhibit A
25 entitled “Guam Election Manual.”

26 **Section 3. Effective Date.** This Act shall be effective upon enactment.



EXHIBIT A



GUAM ELECTION COMMISSION

Kumision Ileksion Guåhan

Your vote is your voice.
Bota ya un ma kuenta.

ELECTION MANUAL

*Administrative procedures, rules, regulations, and forms to be used in the
Conduct of Elections pursuant to 3 GCA § 2104*

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ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Commissioners

The Commissioners

The Commission shall consist of seven (7) members, all of whom shall be eligible voters on the date of their appointment. I Maga'lāhen Guåhan (the Governor) shall appoint six (6) members from recommendations made by the recognized political parties of Guam. Each of the recognized political parties, via duly passed resolution, shall recommend an equal number of names to I Maga'lāhen Guåhan and the six (6) members appointed by I Maga'lāhen Guåhan shall be appointed so that the recognized political parties are equally represented. If at any time there are more than three (3) recognized political parties, the six (6) members appointed by I Maga'lāhen Guåhan shall be appointed so that no more than two (2) of such members shall be members of the same recognized political party.

One (1) member shall be selected and appointed by the six (6) members appointed by I Maga'lāhen Guåhan. The appointment of the seventh (7th) member of the Commission shall be ratified by at least four (4) members.

Each member shall serve for a term of two (2) years, or until his or her successor is duly qualified and appointed. If a vacancy should occur on the Commission, said vacancy shall be filled for the remainder of the term only, and by the method originally prescribed for its appointment. No member may be an elected official of the government nor a candidate or nominee for an elected office within the government.

SOURCE: Law governing 3 GCA § 2101

Duties and Responsibilities

The Commission shall have direct and immediate supervision over the municipal and district officials designated in accordance with the laws of Guam to perform duties relative to the conduct of elections. The Commission may suspend from the performance of said duties any of said officials who fail to comply with its instructions, orders, decisions or rulings, and appoint substitutes; and the Commission shall remove any such officials who have been found guilty of nonfeasance or misfeasance in connection with the performance of their duties relative to the conduct of elections.

The Commission shall designate such subordinate officers and employees as may be necessary for the efficient performance of its functions and duties, each of whom, if not already employed by the government, shall receive a salary to be determined in accordance with the laws of Guam.

As early as is reasonably possible, but not later than June 30 in each odd-numbered year, the Commission shall prepare and deliver an annual report to I Maga'lāhen Guåhan, the Speaker of I Liheslaturan Guåhan, and the chairperson of the legislative committee with jurisdiction over matters of elections, showing, with respect to the preceding fiscal year:

1. Recommendations of the Commission as to amendments or supplementation of laws affecting elections or the office of the Commission; and
2. Statistical information regarding the elections conducted during the fiscal year.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

The Commission shall promulgate rules, pursuant to 5 GCA Chapter 9, necessary and convenient to carry out the provisions of this Title. The Commission shall cause to be prepared an election manual and administrative procedures to be used in the conduct of elections. Said administrative procedures shall include the handling of absentee ballots, voter registration procedures, methods for gathering election results from precinct levels to the central tabulation area, and procedures to be followed at the central tabulation area.

SOURCE: Law governing 3 GCA § 2103

▪ Executive Director

The Commission shall appoint an Executive Director who shall administer the election laws of Guam and shall perform and discharge all of the powers, duties, purposes, functions and jurisdiction hereunder, or which hereafter by law may be vested in the Commission in accordance with the rules of the Commission, and subject to the right of appeal to the Commission.

The Executive Director shall be the ex-officio secretary for the Commission, but shall not be a voting member thereof. As such secretary, the Executive Director shall keep the minutes of the Commission's proceedings, preserve all reports made to it, keep a record of all examinations held under its direction, and perform such other duties as the Commission shall prescribe.

SOURCE: Law governing 3 GCA § 2102

▪ Guam Election Commission Staff

Subordinate officers of the Commission are designated by the Commission necessary for the effective and efficient performance of its functions and duties including, but not limited to: voter registration, voter outreach, precinct official activities, tabulation activities, and the enforcement of Title 3 GCA, the Election Code of Guam.

SOURCE: Law governing 3 GCA § 2103(b)

Note: All Guam Election Commission employees shall read and sign the Confidentiality Agreement (Form EC) as a condition of employment.

▪ Precinct Board

Qualifications

Each member of a precinct board shall be a registered voter of the district in which they are appointed and shall serve only in the precinct for which they are appointed; however, the Commission may appoint any individual to serve regardless of his or her voting precinct, as the Commission deems necessary.

SOURCE: Law governing 3 GCA § 4105

Any person who cannot read or write the English language shall be deemed ineligible. Any nominee for an elective office, or a parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law of a candidate is automatically disqualified as a precinct official. In any event, the Commission shall appoint any registered voter to take the place of a person being disqualified.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

SOURCE: Rule governing 6 GARR § 1102

Appointment

The GEC extends the opportunity to and invites the recognized political parties on Guam to submit an equal number of nominees to serve as Precinct Officials. In the event that the recognized political parties do not submit a sufficient number of nominees required, the Commission extends similar opportunities and invites participation from among other registered voters within the general public.

Guam election laws require Precinct Officials to abide by the rules, regulations, and all procedures promulgated by the Commission.

SOURCE: Rule governing 6 GARR §1101

Oath

No person shall act as a member of a precinct board until he or she has taken the oath as prescribed in this Election Manual. The following oath must be taken by all members of the precinct board in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a voter of the district of _____; that I can read and write the English language; that I am not holding, nor am I a nominee for, an elective office; that I am not an Immediate relative of a candidate in the district in which I am being appointed; and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge the duties of the office of _____ on the Precinct Board for Precinct # in the District of _____ to the best of my ability.

Precinct Officials are administered the Oath of Office and, from then on, any voter who has been appointed as a member of a precinct board, and having taken the oath of office, fails to act as such without lawful or sufficient reason approved by the Commission is guilty of a misdemeanor.

SOURCE: Law governing 3 GCA § 4106 and 6 GARR § 1104

Organizational Structure and Responsibilities

The Precinct Board consists of one (1) Leader and up to six (6) Clerks. The Precinct Leader has supervisory authority among the Precinct Clerks to ensure that the election process is carried out in an organized and efficient manner. To ensure the smoothest conduct possible throughout Election Day, the GEC expects, and the voters of Guam deserve, courteous and proper decorum at all times. The Commission encourages Precinct Officials to work cooperatively as a team throughout Election Day. If requested, the Leader may assist voters to enter the voting booth, direct them to deposit their ballots in the assigned ballot box(es), and exit promptly when finished. The Precinct Leader should monitor the voting area at all times to ensure that voters do not loiter. Any questions or concerns that may arise should be communicated directly to the Commission.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Clerks are to assist the Precinct Leader. Clerks shall verify and 'line out' a voter's name on the Original Voter Signature Roster and ensure that voters sign the roster in the correct section. They shall announce the voter's name, issue ballots to voters, and give voting instructions. They also direct or assist voters into voting booths, if necessary. Two clerks, along with the Leader, will decide any outcome of any challenge issued at the polls. In the absence of the Leader, a Clerk or assigned substitute, shall assume the position of Precinct Leader.

Precinct Officials are responsible for carrying out the election process in the polling places. As such, the procedures prescribed in their handbook must be followed in order to successfully abide by Guam's election laws.

Training

Under the Election Code of Guam, members of the Precinct board must attend training conducted by the GEC. In order to comply with the training requirements, members of the Precinct Board must undergo four (4) hours of training and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- Opening the Polls
- Voting Procedures
- Assisting Voters with Disabilities
- Processing Absentee Ballots
- Accessible Voting
- Processing Provisional Voters
- Processing Voter Challenges
- Processing Administrative Complaints
- Closing the Polls

SOURCE: Law governing 3 GCA § 4105

The duties and requirements for the members of the Precinct Board on Election Day shall be detailed in the Precinct Official Manual. The manual shall be available at the GEC main office, and to the members of the Precinct board on Election Day.

Dismissal

A Precinct Official is subject to dismissal if he/she: (1) refuses to follow directions (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as prescribed in the Election Manual, (5) commits any violations of the Election Code of Guam.

SOURCE: Law governing 3 GCA § 4109

▪ **Registrars (District Registrars and Volunteer Registrars)**

Qualifications

To qualify as a Voter Registrar an individual must:

- 1) Be a registered voter of Guam;
- 2) Not be holding an elective office;

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- 3) Not be a candidate for office;
- 4) Not be an immediate relative of an elected official or candidate. (Immediate relative means parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law);
- 5) Be able to follow instructions;
- 6) Be able to attend an instructional seminar;
- 7) Be able to pass a standardized examination of the election laws; and
- 8) Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

SOURCE: Law governing 3 GCA § 3110

Appointment

Pursuant to 3 GCA §§ 3109 & 3110, the Guam Election Commission (GEC) has the authority to appoint voter registrars in preparation for any election.

- The term of appointment for district registrars shall commence twenty-one (21) days prior to an election and ends fifteen (15) days prior to an election.
- The term appointment for volunteer registrars shall commence any time prior to an election and shall cease twenty-one (21) days prior to an election.

All registrars are supervised and responsible solely to the Guam Election Commission for election matters.

Oath

The following oath must be taken by Voter Registrars in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge my duties as a Voter Registrar to the best of my ability. All Election Commission records entrusted to me will be returned to the office of the Guam Election Commission by_____.

SOURCE: Law governing 3 GCA § 3110

Duties and Responsibilities

Voter Registrars are tasked with assisting the Guam Election Commission in populating its voter registry and decolonization registry. All voter registrars are responsible for ensuring that every applicant is eligible to vote under the Election Code of Guam, collecting voter information for processing, properly completing the required forms, and the complete return of all election documents entrusted to them.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Training

Under the Election Code of Guam Voter Registrars must attend training conducted by the GEC. In order to comply with the training requirements, Voter Registrars must obtain two (2) hours of training and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- Rules for Determining Residency
- Properly Execute Affidavit of Registration
- Voter Transfer and Changes
- Reporting Periods
- Voter Cancellation

SOURCE: Law governing 3 GCA § 3110(a)

The Voter Registrar Manual shall detail the duties and requirements for all Volunteer and District Registrars. The manual shall be available at the GEC main office, and to every Volunteer and District Registrar deputized by the Guam Election Commission.

Dismissal

A Registrar is subject to dismissal if he/she: (1) refuses to register a qualified resident; (2) consistently makes errors; (3) allows the affidavits to be executed by anyone other than with a deputized registrar; (4) loses the affidavit(s) of registration; (5) registers anyone who is not a U.S. citizen or anyone not within the provisions set out in 3 GCA § 3101; or (6) otherwise violates any other portion of the Election Code.

▪ **Deputized Homebound Officials**

Qualifications

To qualify as a Deputized Homebound Official, an individual must:

1. Be a registered voter of Guam;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate (Immediate relative means parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law).
5. Be able to follow instructions;
6. Be able to attend an instructional seminar;
7. Be able to pass a standardized examination of the election laws; and
8. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Appointment

Pursuant to 3 GCA § 10113, the GEC extends its authority to deputize individuals to assist in conducting the Homebound Absentee Voting Procedures for any election. The Deputized Homebound Officials will carry out the day-to-day homebound voting program as prescribed by the GEC.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Oath

The following oath must be taken by all Deputized Homebound Officials in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge my duties as a Deputized Homebound Official to the best of my ability. All Election Commission records and ballots entrusted to me will be returned to the office of the Guam Election Commission at the end of every day.

Organizational Structure and Responsibilities

Deputized Homebound Officials (DHOs) are primarily broken down into teams of either two (2) or three (3), depending on the availability of party representatives. The teams are comprised of either two (2) Deputized Homebound Officials or one (1) Deputized Homebound Official and two (2) party representatives – one (1) representative per party. In the event that a party is unable to provide a homebound party representative, the party representative present may accompany two (2) Deputized Homebound Officials.

Deputized Homebound Officials are responsible for hand-carrying and notarizing the Affidavit Envelopes and keeping inventory of all Official Balloting Materials. The DHOs are to carry out and explain the Homebound Voting Procedures, as instructed by the GEC, to the Homebound Voter. If at any time a Homebound Official is unable to continue with the process, the process will cease for that team. It is the responsibility of the Homebound Official to inform the GEC if such a situation does arise. Not later than 6:00pm of every day, all Deputized Homebound Officials must submit all Official Balloting Materials to the GEC. Failure to do so will result in prosecution by the Attorney General's Office as prescribed by law. Homebound Officials are not to speak in favor of or against any candidate while carrying out the homebound voting process. They must stay neutral while carrying out their Homebound Official duties.

Training

Deputized Homebound Officials (DHO) must attend a two (2) hour training conducted by the GEC, and pass a standardized examination of the election laws of Guam.

The Deputized Homebound Officials (DHO) Manual shall detail the duties and requirements for all DHO. The manual shall be available at the GEC main office, and to every DHO deputized by the Guam Election Commission.

Dismissal

A Deputized Homebound Official is subject to dismissal if he/she: (1) refuses to follow directions, (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as

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prescribed in the Homebound Official Manual, (5) commits any violations of the Election Code of Guam.

▪ Poll Maintenance Workers

The GEC customarily hires one individual staff member from the facility in which the election is to be held to help maintain polling sites. Responsibilities may include but are not limited to:

- Opening polling facility
- Ensuring walkways are clear
- Ensuring there is adequate lighting
- Ensuring restrooms are open and maintained
- Assist Precinct Officials with conducting Accessible voting
- Assisting precinct officials with any maintenance issues within their precincts

▪ Tabulators

Qualifications

To qualify as a Tabulator, an individual must:

1. Be a registered voter of Guam;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate. (Immediate relative means parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law).
5. Be able to follow instructions; and
6. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Appointment

The Commission may appoint such persons as may be necessary for the manual tabulation of ballots and/or for the operation of the vote tabulating device, and to keep watch on such tabulation for any possible illegal vote or any error or omission on the part of the persons tabulating the ballots or operating the vote tabulating device.

SOURCE: Law governing 3 GCA § 11109

Oath

The following oath must be taken by all Tabulators in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Guam, and that I will faithfully discharge my duties as a Tabulator to the best of my ability. All Election Commission records and ballots entrusted to me will be returned to the office of the Guam Election Commission.

Duties and Responsibilities

Tabulators are responsible for assisting the Guam Election Commission at the Election Return Center on election night. Responsibilities may include but are not limited to:

- Assisting with the setup of Election Center
- Directing precinct officials to appropriate stations
- Properly completing required forms
- Monitor Tabulation Equipment
- Tabulating cast ballots (by hand or machine)
- Securing Election Center

Dismissal

A Tabulator is subject to dismissal if he/she: (1) refuses to follow directions (2) consistently makes errors, (3) fails to carry out his/her duties, (4) or commits any violations of the Election Code of Guam.

■ **Site Support Coordinators**

Qualifications

To qualify as a Site Support Coordinator, an individual must:

1. Be a registered voter of Guam in the district he/she is assigned;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate. (Immediate relative means parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law);
5. Be able to follow instructions;
6. Be able to attend an instructional seminar;
7. Be able to pass a standardized examination of the election laws; and
8. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Oath

The following oath must be taken by all Site Support Coordinators in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a voter of the district of _____; that I can read and write the English language; that I am not holding, nor am I a nominee for, an elective office; that I am not a parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child,

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step-child, grandchild, step-grandchild, or in-law of a candidate in the district in which I am being appointed; and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge the duties of the office of Site Support Coordinator for the District of _____ to the best of my ability.

Duties and Responsibilities

Site Support Coordinators duties include but not limited to setting up the polling place preserving order, monitoring voting equipment and assisting the Precinct Officials in carrying out their duties. Additionally, they shall also act as greeters guiding voters to their appropriate precincts within the polling place.

Training

A Site Support Coordinator must attend a four (4) hour training conducted by the GEC, and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- Opening the Polls
- Voting Procedures
- Assisting Voters with Disabilities
- Processing Absentee Ballots
- Accessible Voting
- Processing Provisional Voters
- Processing Voter Challenges
- Processing Administrative Complaints
- Closing the Polls

The duties and requirements for Site Support Coordinators on Election Day shall be detailed in the Precinct Official Manual. The manual shall be available at the GEC main office, and to all Site Support Coordinators on Election Day.

Dismissal

A Site Support Coordinator is subject to dismissal if he/she: (1) refuses to follow directions, (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as prescribed in the Precinct Official Manual, (5) commits any violations of the Election Code of Guam.

■ Poll Watchers/Homebound Representatives

Qualifications

Directors or Deputy Directors of the Executive Branch of Government of Guam, Administrative Directors or Assistant Administrative Directors of the Legislature or Judicial Branch, or Administrative Aids or Assistants to Senators, or any elected official shall not serve as a poll watcher.

SOURCE: Board Policy: 10/4/1983

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Duties and Responsibilities

Each recognized political party and a representative of an independent candidate whose name appears on the ballot, if any, may have no more than one (1) observer present to witness the conduct of the election and to challenge any voter. Such observers are hereby prohibited from interfering with the precinct board at any time during the conduct of the election, and shall not be permitted within the precinct barricade.

SOURCE: Law governing 3 GCA § 9114

The duties of a poll watcher are: (1) ensure that the precinct officials are administering their duties properly; (2) issue voter challenges; and (3) monitor voter participation.

Homebound Representatives

Members of a political party may accompany Commission staff or Deputized Homebound Officials who deliver absentee ballots to the homes of sick and disabled voters. Upon entering the homes of any absentee voters, the Commission staff member or deputized homebound officials must identify his/her self and the homebound representative from the political parties.

Removal

Poll Watchers/Homebound Representatives are subject to removal if he/she (1) interferes with the precinct officials/deputized homebound officials, (2) solicits or speak to a voter regarding the marking of his/her ballot, (3) wears any articles (i.e. emblems, t-shirts, hats etc.) signifying a political affiliation to a party or candidate(s), (4) any violations of the poll watcher guidelines, or (5) commits any violation of the Election Code of Guam.

Voter Registration

The purpose of voter registration in Guam is to allow qualified citizens the right to vote. It is the responsibility of the Guam Election Commission and its election officials to ensure that every eligible elector can participate in the democratic process.

▪ Qualifications to Register:

In order to register to vote, an individual:

1. Must be a U.S. citizen
2. Must be eighteen (18) years of age or older on or before Election Day
3. Must be a resident of Guam
4. Must not be confined to a mental institution
5. Must not be judicially declared insane
6. Must not be committed under a sentence of imprisonment

SOURCE: Law governing 3 GCA § 3101

▪ Pre-Registration

3 GCA § 3102(c) provides that every person that meets all eligibility requirements to register and is sixteen (16) years of age or older, may pre-register to vote. The registration of an individual who has pre-registered to vote will be deemed effective on the date the registrant will be eighteen (18) years of age. Pre-registrants must provide current information if the information provided on their pre-registration is no longer current on the date their registration would be deemed effective.

SOURCE: Law governing 3 GCA § 3102(c)

Residency

Guam law provides that each person's residency is to be determined individually; that is, no person's residency shall conclusively determine the residency of that person's spouse or child. The following rules should be prescribed in determining an individual's residency:

1. The residency of a person is that place where that person lives for a period of at least thirty (30) days, maintains that person's home and to which, whenever that person is absent, that person has the bona fide intention to return. For voting purposes, a person may have only one (1) residence. Indicia of residence on Guam shall include, but not be limited to, payment of Guam personal income taxes, maintaining a home or other living accommodation on Guam, having temporarily departed Guam with the intention of returning, and not being registered to vote in any other U.S. jurisdiction since departing Guam.
2. A person does not gain residency on Guam, or any voting district, from which that person comes unless that person intends to establish a permanent dwelling place within Guam, or such voting district.

VOTER REGISTRATION

3. If a person resides with one's family in one (1) place, and does business or maintains real property in another place, the former is that person's place of residence; but any person having a family, who establishes one's own dwelling place other than with one's family, with the intention of remaining there, shall be considered a resident where that person established such dwelling place.
4. The mere intention to acquire a new residence without physical presence at such place does not establish residency.
5. A person does not obtain or lose residency solely by reason of that person's presence or absence while employed in the services of the United States, or of the government of Guam, or while a student at an institution of learning, or while kept in an institution, a hospital, or asylum, or while confined in prison.
6. A person loses one's residency in Guam if that person registers to vote or votes in an election held in a place other than Guam.
7. No person who is registered to vote in another U.S. jurisdiction may vote on Guam until the Commission has transmitted an affidavit to said jurisdiction requesting that person's name to be removed from such election roll. The Commission shall provide affidavit forms for the removal of names of voters from the election rolls of other U.S. jurisdictions. For purposes of establishing residency in a district or municipality, a person shall be domiciled in that district or municipality for at least thirty (30) days immediately prior to the election. For voting purposes, a person shall have only one (1) place of domicile.

SOURCE: Law governing 3 GCA § 9123

▪ Where to Register

Electors may register at the Guam Election Commission's (GEC) main office, or with a deputized Registration Clerk (registrar) at a Village Mayor's Office, a public high school, or a college campus, at the Department of Motor Vehicles, and online at the GEC's website.

SOURCE: Law governing 3 GCA § 3105

▪ When to Register

Registration at the Guam Election Commission's main office shall be in progress during all office hours Monday-Friday 8:00 am- 5:00pm except for holidays. During District Voter Registration, twenty-one (21) days prior to any election, voter registration at the GEC's main office as well as at the Village Mayor's Offices will be open until 8:00 pm. The last day to register to vote is fifteen (15) days prior to any election. Transferring districts is prohibited between the Primary and General Elections.

▪ Online Registration

Any qualified person who has a valid Guam driver's license or Guam identification card may submit a voter registration application online at the Guam Election Commission's website at www.gec.guam.gov.

SOURCE: Law governing 3 GCA § 3102.1

VOTER REGISTRATION

Declaration

Any person seeking to register to vote online must attest under penalty of perjury to the following:

- a) I am a citizen of the United States of America.
- b) I am at least sixteen (16) years old.
- c) I have been a resident of Guam for not less than thirty (30) days immediately preceding date of the application
- d) I am not committed under a sentence of imprisonment
- e) I acknowledge that a person who knows that he or she does not possess the legal qualification of a voter and who register to vote is guilty of a felony in the third degree
- f) I agree to the use of my Guam Driver's License or Guam ID card signature for voter registration purposes
- g) I attest that all the information I provided on this application is true and correct.

SOURCE: Law governing 3 GCA §3102.1

Electronic Signature

For the purpose of online registration, the Guam Election Commission shall recognize electronic signatures as valid and equivalent to handwritten signatures unless otherwise prohibited by law.

Applicant Verification

The Guam Election Commission must obtain a digital copy of the applicant's Guam driver's license or Guam identification card signature from the Department of Revenue and Taxation, Motor Vehicle Division. The GEC must ensure that all employees granted access have completed the required training on proper systems use, data security, and compliance with applicable laws and policies. Access will be used solely for authorized purposes and all users are responsible for maintaining confidentiality and data integrity.

SOURCE: Law governing 3 GCA §3102.1 (e)

Voter Notification

For the purpose of online and motor voter registration, the Guam Election Commission (GEC) shall transmit upon completion of review, the confirmation of the applicant's status of registration. Should additional information or documentation be required to complete the registration, the GEC must notify the applicant promptly, specifying the necessary requirements and any applicable deadlines.

Online Registration Deadline

Any applicant may be registered electronically in accordance with 3 GCA §3102.1 from the time the registration is open until twenty-one (21) days prior to an election. The Guam Election Commission shall on its website publish the following:

- a) The Deadline to register to vote online.
- b) The Deadline to register to vote in the upcoming election.

VOTER REGISTRATION

c) Place(s) and time for registration.

▪ **Motor Voter Registration**

Any person applying for a Guam Driver's License, Guam ID, or renewal of either, may register to vote or update their voter registration provided that all the eligibility requirements to register to vote under to 3 GCA Chapter 3 are met.

SOURCE: Law governing 16 GCA §3101.3

Voter Consent & Affirmation

The Guam Election Commission shall prepare a statement of consent and affirmation to be placed in the Guam Driver's License and Identification Card Application. The statement shall affirm that the voter is:

- a) A U.S. Citizen;
- b) At least sixteen (16) years of age;
- c) A resident of Guam as defined in 9 GCA § 9123;
- d) Not confined to a mental institution nor judicially declared insane; and
- e) Is not committed under a sentence of imprisonment.

All applicants shall indicate their decision to register to vote, update their existing voter registration, or decline to register. As part of the registration process, applicants must sign the designated authorization to ensures compliance with voter registration requirements. Employees must verify that an option has been clearly selected before processing the request, and any failure to sign or indicate intent must be documented.

Failure to Consent or Sign

Should an applicant fail to provide a signature or consent to register to vote, update their voter registration, or decline registration, the application shall not be processed and will be considered a decline with no further action to be taken. This action shall be documented appropriately.

Motor Voter Notification

The Guam Election Commission (GEC) shall transmit a notice to the applicant confirming the status of their registration upon completion of the review process. Should additional information or documentation be required to complete the registration, the GEC must notify the applicant promptly, specifying the necessary requirements and any applicable deadlines.

Motor Voter Registration Deadline

Any person applying for a Guam Driver's License, Guam ID, or renewal of either, may register to vote or update their voter registration from the time the registration is open until twenty-one (21) days prior to an election. The Guam Election Commission shall immediately remove the consent and affirmation statement from the Guam Driver's License and Identification Card Application to prevent the improper registration of an applicant.

▪ **Registration Affidavits**

VOTER REGISTRATION

Upon registration, the affidavit of registration shall be produced in duplicate, where the original is filed with Guam Election Commission and a certified copy is given to the applicant.

All forms of registration of a voter is permanent for all purposes during that person's life, unless and until the affidavit of registration is cancelled by the Guam Election Commission.

SOURCE: Laws governing 3 GCA §§§ 3118, 3120, & 3126

▪ Volunteer Registrars

The Guam Election Commission may appoint Volunteer Registrars any time prior to an election to serve a term beginning at their appointment date up to twenty-one (21) days prior to an election.

SOURCE: Law governing 3 GCA § 3110

Maximum Number of Volunteer Registrars

The Guam Election Commission Board of Commissioners shall determine the maximum number of Volunteer Registrars for each political party for each election cycle.

Excluding the number of Volunteer Registrars set for each political party, the GEC may deputize volunteer registrars from any bona fide association and/or organization which shall not exceed five (5) volunteers from each for each election cycle.

SOURCE: Board Policy 06/11/1985

Reporting/Evaluation

Each Volunteer Registrar shall check-in on the days designated by the GEC. Failure to check-in with the GEC on days designated may result in dismissal.

Each Volunteer shall submit their completed Affidavits of Registration as soon as possible to include any and all cancelled/void affidavits to the Guam Election Commission. The Commission staff shall review each Affidavit for completeness and accuracy. If any error(s) exists, the staff shall point-out the mistake and instruct the Volunteer on the proper registration procedures.

SOURCE: Board Policy 7/11/1985

Cessation

All Volunteer Registrars shall cease their registration process twenty-one (21) days prior to an election or upon dismissal. All registrars shall account for all supplies and materials issued to them and return to the Commission.

Any Volunteer Registrar who does not return supplies and materials twenty-one (21) days prior to an election, or upon dismissal, will be given five (5) days after the close of registration to comply. If the supplies and materials are not returned to the Commission after five (5) days the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.

SOURCE: Law governing 3 GCA § 3114

VOTER REGISTRATION

▪ District Registrars

The Commission shall appoint at least one (1) registration clerk for each district. The Executive Director shall solicit the mayors of each municipality for nomination of registration clerks within their municipality.

SOURCE: Law governing 3 GCA § 3109

Times for Registration

District registration shall begin twenty-one (21) days prior to an election and shall continue until fifteen (15) days prior to an election. Hours of operation shall be Monday to Friday from 4:00P.M. to 8:00P.M.

SOURCE: Best Practice since September 2012

Compensation

District Registrars' compensation shall not be less than the minimum wage times 1.5.

SOURCE: Law governing 3 GCA § 3111

Cessation

All District Registrars shall cease their registration process fifteen (15) days prior to any election or upon dismissal. All registrars shall account for all supplies and materials issued to them and returns to the Commission.

Any District Registrar who does not return supplies and materials fifteen (15) days prior to an election, or upon dismissal, will be given five (5) days after the close of registration to comply. If the supplies and materials are not returned to the Commission after five (5) days the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.

SOURCE: Law governing 3 GCA § 3104

Guam Decolonization Registry

The Guam Decolonization Registry was created with the intent to permit the native inhabitants of Guam, as defined by the U.S. Congress' 1950 Organic Act of Guam, to exercise the inalienable right to self-determination of their political relationship with the United States of America. The Decolonization Registry is a Registry, separate and apart from the Chamorro Registry, which specifically delineates the list of qualified voters for the political status plebiscite.

SOURCE: Law governing 3 GCA § 21001

Civil Case No 11-00035

VOTER REGISTRATION

Pursuant to the Decision and Order rendered by District Court of Guam Chief Judge Tydingco-Gatewood on March 8, 2017 in Civil Case No. 11-00035, Arnold Davis vs. Government of Guam, et al., the Guam Election Commission ceased all activities related to the registration of Native Inhabitants of Guam. A memorandum was sent to all Government of Guam agency heads to inform them of the Decision and Order and to request all registration forms and other supplies be submitted to the Guam Election Commission. Efforts have also been made to contact Decolonization Registrars personally to ensure all registration materials are returned. The Guam Election Commission is committed to administering the Election laws as expressed in the Guam Code and interpreted by the Courts and is moving forward accordingly.

SOURCE: Civil Case No. 11-00035

▪ Persons Entitled to Register or be Registered

Every person who is a Native Inhabitant of Guam or who is descended from a Native Inhabitant of Guam is entitled to register with the Guam Decolonization Registry. Native Inhabitants of Guam shall mean those person who became U.S. Citizens by virtue of the authority and enactment of the 1950 Organic Act of Guam and descendants of those persons.

SOURCE: Law governing 3 GCA §§ 21001(e) & 21003

Registration of Minors

Individuals below the age of eighteen (18) years, who turn eighteen (18) years on or before the date of the Political Status Plebiscite, shall be entitled to register with the Guam Decolonization Registry by a parent or legal guardian. Such parent or guardian must register such minor by affidavit of registration made before the registration clerk in the office of the Commission. The Commission shall require the submission of such additional information and proper documentation as will enable it to verify the relationship between parent or guardian and said minor; and to comply with the rest of Chapter 21 of 3 GCA. Any change of residency for such minor must be reported to the Commission within thirty (30) days of such change.

SOURCE: Law governing 3 GCA § 21004

Off-Island Native Inhabitants of Guam

Persons who are eligible under Chapter 21 of Title 3 GCA to register with the Guam Decolonization Registry, but who are not on Guam at such time as they intend to register, may complete and submit, via mail or otherwise, a notarized affidavit of registration to the Commission. Affidavits of registration shall be made available by the Commission. The Commission shall also require from such persons the submission of such additional information and proper documentation as will enable it to comply with this Chapter 21 of Title 3 GCA. Any change of residency must be reported to the Commission within thirty (30) days of such change.

SOURCE: Law governing 3 GCA § 21005

▪ When to Register

VOTER REGISTRATION

A person may register with the Guam Decolonization Registry at any time during the year, except at such times when the Commission shall close the registration rolls for the purposes of conducting the Political Status Plebiscite. At such times the registration rolls shall be closed ten (10) days prior to such Political Status Plebiscite.

- Exception. For the purposes of registering eligible persons to vote on the plebiscite relative to Guam's political status, the Commission, in consultation with the Commission on Decolonization

SOURCE: Law governing 3 GCA § 21007

▪ Where to Register

Registration for Native Inhabitants of Guam with the Guam Decolonization Registry shall be in progress at the main office of the Commission during such hours as the office is open for business, prior to any closing of the registration rolls. Upon enactment of this Act, the Commission shall deputize as many volunteers to serve as registration clerks in each of the Villages and designated educational institutions, for an undetermined period after the date of enactment, as is necessary for the purposes of registering eligible persons with the Guam Decolonization Registry. Such registration shall take place at each Mayor's office, Guam Community College, University of Guam, each high school or any other place within the Village designated by the Commission.

Native Inhabitants of Guam shall also be able to register with the Guam Decolonization Registry at such times and places within Guam as the Commission shall deem advisable and convenient, and the Commission shall deputize volunteers for such purposes as well.

SOURCE: Law governing 3 GCA § 21008

■ Candidates

Governor/Lieutenant Governor

▫ *Qualifications*

- a) Must be an eligible voter;
- b) Must have been, for five consecutive years immediately preceding the election, a citizen of the United States and a bona fide resident of Guam; and
- c) Must be at least thirty (30) years of age at the time of taking office (i.e. the first Monday of January following the date of election)
- d) Must maintain his official residence in Guam during his incumbency
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. §1422

▫ *Term of Office*

The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified.

SOURCE: Law governing 48 U.S.C. § 1422

▫ *How Elected*

The Governor of Guam, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the Legislature of Guam. The Governor and Lieutenant Governor shall be chose jointly, by the casting by each voter of a single vote applicable to both offices.

SOURCE: Law governing 48 U.S.C. § 1422

Senators

▫ *Qualifications*

- a) Must be a citizen of the United States of America;
- b) Must be at least twenty-five (25) years of age at the time of taking office (i.e. the first Monday of January following the date of election)
- c) Must have been domiciled in Guam for at least five (5) years immediately preceding the sitting of the Legislature;
- d) Must not have been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his or her civil rights; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. §1423(f) & 3 GCA § 6103

CANDIDATES

□ *Term of Office*

Senators elected to the Guam Legislature shall hold office for a term of two (2) years and until their successors are elected and qualified. The term of Senators elected to the Guam Legislature shall commence on the first Monday of January following the date of election.

SOURCE: Law governing 2 GCA § 1105

□ *How Elected*

I Liheslaturan Guåhan shall be a unicameral body consisting of fifteen (15) Members who are elected at large and as provided by law.

SOURCE: Law governing 3 GCA § 6101

Mayor and Vice-Mayor

□ *Qualifications*

- a) Must be a citizen of the United States of America;
- b) Must be at least twenty-one (21) years of age;
- c) Must be registered to vote in and have resided within the municipality or village in which he or she is to represent for a period of one (1) year immediately preceding the date of the election at which he or she is a candidate;
- d) Must continue to reside in the municipality or village throughout his or her term in office; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 5 GCA § 40108

□ *Term of Office*

There shall be an election of Mayors and Vice Mayors at the regular general election in November, 1952, and at the regular general election in every fourth year thereafter, and they shall serve for a period of four (4) years.

SOURCE: Law governing 5 GCA § 40104

□ *How Elected*

Mayors and Vice Mayors as indicated in § 40101, shall be elected by popular vote of the area which such Mayors are to represent. In districts where there are Vice Mayors, the Mayor and Vice Mayors shall be chosen separately.

SOURCE: Law governing 5 GCA § 40103

Non-Voting Delegate to the U.S. House of Representatives

□ *Qualifications*

- a) Must be at least twenty-five (25) years of age on the date of the election;

CANDIDATES

- b) Must have been a citizen of the United States of America for at least seven (7) years prior to the date of the election ;
- c) Must be an inhabitant of Guam;
- d) Must not be, on the date of the election, a candidate for any other office; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. § 1713

▫ *Term of Office*

The Delegate shall be elected by the people qualified to vote for the members of the legislature of the territory he is to represent at the general election of 1972, and thereafter at such general election every second year thereafter. The term of the Delegate shall commence on the third (3rd) day of January following the date of the election.

SOURCE: Law governing 48 U.S.C. § 1712

▫ *How Elected*

The Delegate from Guam shall be elected at large and by a majority of the votes cast for the office of Delegate. If no candidate receives such majority, on the fourteenth day following such election a runoff election shall be held between the candidates receiving the highest and the second highest number of votes cast for the office of Delegate.

SOURCE: Law governing 48 U.S.C § 1712(a)

Attorney General of Guam

▫ *Qualifications*

- a) Must be a citizen of the United States and a resident of Guam;
- b) Must be an active member in good standing of the Guam Bar Association on Guam for at least five (5) years immediately preceding his or her candidacy for office, or an inactive member of the Guam Bar Association who, in the five (5) years preceding his or her election as an Attorney General has served as an elected official elected by the people of Guam or as a Public Auditor of Guam, or as a Justice of the Supreme Court of Guam or Judge of the Superior Court of Guam;
- c) Must be at least thirty (30) years of age;
- d) Must have not have been suspended from the practice of law in any jurisdiction for violation of ethical rules governing the practice of attorneys; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude.

SOURCE: Law governing 5 GCA § 30101(b)

▫ *Term of Office*

CANDIDATES

The Office of the Attorney General of the government of Guam shall be administered by the Attorney General of Guam, who shall be elected by the people of Guam for a term of four (4) years.

SOURCE: Law governing 5 GCA §30101(a)

▫ *How Elected*

In the General Election, the candidate receiving the most votes, subject to the qualifications established by this Chapter, shall be certified by the Guam Election Commission as having won election to the position of Attorney General. The Attorney General shall be sworn into and take office on the first Monday of the January following the General Election at which the Attorney General was elected and shall remain in office until the election and swearing in of a new Attorney General, unless removed from Office.

SOURCE: Law governing 5 GCA § 30101(b)

Public Auditor

▫ *Qualifications*

- a) Must be a citizen of the United States and a resident of Guam for the five (5) years preceding his or her election;
- b) Must not have been convicted of a felony or suspended in any U.S. or non-U.S. jurisdiction by an ethics board overseeing the certified public accountant or attorney, as the case may be;
- c) Must either:
 - be a certified public accountant, or
 - be an attorney at law, or
 - have at least five (5) years of experience in the establishment or enactment of government budgets
- d) Must not declare a political party affiliation;
- e) Must not seek the endorsement or receive directly or indirectly financial or material support from a political party.

SOURCE: Law governing 1 GCA §§ 1903 & 1906

▫ *Term of Office*

The Public Auditor shall serve a term of four (4) years.

SOURCE: Law governing 1 GCA § 1903

▫ *How Elected*

The Public Auditor shall be elected by the voters of Guam in a General Election occurring at the same time as the General Election for Mayors. The candidate receiving the most votes, subject to the qualifications established by this Chapter, shall be certified by the Guam Election Commission as having won election to the position of Public Auditor.

SOURCE: Law governing 1 GCA § 1903

Consolidated Commission on Utilities

CANDIDATES

▫ *Qualifications*

- a) Must be a registered voter of Guam;
- b) Must be at least twenty-five (25) years of age;
- c) Must have been a resident of Guam for at least five (5) years prior to the date of the election;
- d) Must not simultaneously serve as a Commissioner and an employee of the Guam Waterworks Authority, the Guam Power Authority, or the Public Utilities Commission, or simultaneously serve as a Commissioner and an unclassified or contracted employee of the government of Guam;
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to §6110, Title 3, Guam Code Annotated.

SOURCE: Law governing 12 GCA § 79101

▫ *Term of Office*

Commissioner shall be elected to serve a term of four (4) years, commencing on the First (1st) day of January following their election.

SOURCE: Law governing 12 GCA § 79103(a)

▫ *How Elected*

The five (5) Commissioners of the Consolidated Commission on Utilities are elected at-large by the voters of Guam in a General Election.

SOURCE: Law governing 12 GCA § 79101

Guam Education Board

▫ *Qualifications*

- a) Must be at least twenty-five (25) years of age;
- b) Must be a resident of Guam for at least five (5) years immediately preceding the date on which the member takes office and continuing throughout the term;
- c) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 17 GCA § 3102.3(b)

▫ *Term of Office*

Each elected voting member shall serve for a term of two (2) years, commencing at 12:00 noon on the first Monday in January following their election.

SOURCE: Law governing 17 GCA § 3102.3(b)

▫ *How Elected*

Six (6) voting members shall be elected at-large at each General Election.

SOURCE: Law governing 17 GCA § 3102.3(b)

■ **Candidate's Packets**

CANDIDATES

Nominating Petitions

Person(s) interested in pursuing an elected public office may pick up nominating petitions at the main office of the Election Commission.

▫ Circulating Petitions

Nominating petitions may be circulated by a candidate and/or by any other qualified person(s) of the candidate choice. For petitions to be accepted, each circulator must sign the "Certificate of Circulator" on the last page of the petition (Form EC). The GEC shall not accept any petition without the affirmation of the circulator.

▫ *Number of Required Signatures for Elected Office*

OFFICE	NUMBER OF SIGNATURES
Governor/Lt. Governor	500
Senator	250
Mayor	100
Vice Mayor	100
Non-Voting Delegate to U.S. House of Representatives	500
Attorney General	Not required
Public Auditor	Not Required
Consolidated Commission on Utilities	Not Required
Guam Education Board	150

Organizational Report

Each candidate, committee, and political party shall file an organizational report no later than the earliest of the following applicable days:

- a) on or before the day of filing for nomination or election;
- b) by the tenth (10th) day after receiving any contributions for the next campaign in an aggregate amount of more than Two Hundred Fifty Dollars (\$250.00) or the making or incurring of any expenditure for the next campaign in excess of Two Hundred Fifty Dollars (\$250.00).

SOURCE: Law governing 3 GCA § 17106

Certification of Qualification

Every person seeking nomination for any elected office shall submit a certification of qualification attesting to his/her qualification for the elected office he/she is seeking.

Declaration by Sponsors

A declaration of candidacy may be filed with the Commission by any five (5) registered voters of Guam who jointly propose a candidate for I Liheslaturan Guåhan, or for any office, without the signature of that candidate. If the office to be filled is for a municipality or division thereof, only registered voters of the municipality or division concerned may so file a declaration of candidacy.

CANDIDATES

SOURCE: Law governing 3 GCA § 6106

Affidavit of Convicted Felon

Every person seeking nomination for any elected office shall submit the GEC an Affidavit of Convicted Felon (Form EC-3H) attesting that they are not a convicted felon and have not been convicted of a crime of moral turpitude.

SOURCE: Law governing 3 GCA § 6110

Candidate Information Card

Every person seeking nomination for any elected office must complete and file with the Commission a Candidate Information Card (Form EC-16). The Candidate Information Card shall contain:

- Name
- Elected Office Sought
- Mailing Address
- Date of Birth
- Telephone Number (Home and Work)
- Residence (Village)
- Email Address
- Name to Appear on Ballot
- Family Name/Nickname (20 Letters Maximum)
- Political Party (if applicable)
- Date Qualified as a Candidate
- Signature of Candidate

▪ **Public Official Financial Disclosure Act**

All candidates seeking an elected office, shall file their financial disclosure documents in accordance with Title 4 GCA Chapter 14

▪ **Filing Candidacy**

When to File

Notwithstanding any other provision of law, candidates for I Liheslaturan Guåhan, offices of I Maga'lahen Guåhan [Governor] and I Segundu Na Maga'lahen Guåhan [Lieutenant Governor], Washington Representative, Mayor and Vice-Mayor, shall file their nomination petition papers and all other required documents with the Commission no earlier than one hundred sixty (160) days before the primary election, and no later than ninety (90) days before the primary election. Notwithstanding any other provision of law, candidates for the Attorney General of Guam, Public Auditor, Guam Education Board and the Consolidated Commission on Utilities shall file their declarations of candidacy with the Commission no earlier than one hundred sixty (160) days before the general election, and no later than ninety (90) days before the general election.

SOURCE: Law governing 3 GCA § 6108

CANDIDATES

Filing Fee

All candidates – with the exception of those who are seeking the office of the Attorney General, Public Auditor, members of the Consolidated Commission on Utilities and Members of the Guam Education Board – shall file along with their nomination papers a fee of one hundred (100) dollars.

Only Completed Packet Accepted

The Guam Election Commission shall only accept completed Candidate Packets upon filing. The following forms must be filled out in order for the packet to be considered complete:

- Nominating Petitions (if applicable)*
- Candidate Information Card
- Certification of Qualification
- Certification – Declaration of Candidacy (if applicable)
- Organizational Report (if not already filed)*
- Public Financial Disclosure Statement
- Affidavit of Convicted Felon
- Police and Court Clearance
- Filing Fee (if applicable)*

*A packet submitted by persons sponsoring a candidate for an elected public office shall be accepted pending the acceptance of the candidate being sponsored. Upon acceptance, the remaining forms must be completed and filed with the Commission

SOURCE: Best Practice since 2000

Candidacy Decline or Acceptance

Any candidate for whom a declaration of candidacy has been filed either by a political party or by sponsors may decline or accept to be a candidate by making known such declination or acceptance in writing to the Commission within two (2) workings days following the submission of nomination petition papers and all other required documents to the Commission by the sponsor(s).

SOURCE: Law governing 3 GCA § 6107

▪ **Election Campaign Contributions and Expenditures**

All candidates seeking an elected office, shall file their election campaign contributions and expenditures report in accordance with Title 3 GCA chapter 17

▪ **Public Financial Disclosure**

All candidates seeking an elected office, shall file their public financial disclosure report in accordance with Title 4 GCA chapter 13 and 6 GARR chapter 4.

PRE-ELECTION DAY PREPARATION

▪ Stakeholders

The Executive Director may seek the assistance from the following stakeholders in the implementation of any regularly scheduled election:

Department of Public Works

The GEC coordinates with the Department of Public Works (DPW) for the assistance with: 1) the transportation of ballot stocks and voting materials to their assigned municipal polling sites and 2) the transportation of precinct officials, ballot stocks, and voting materials to the Election Center.

Guam Power Authority

Assistance is sought from the Guam Power Authority (GPA) to provide on-site power support at the Election Center in order to ensure that the power circuits remain uninterrupted during ballot tabulation.

Guam Police Department

Assistance is sought from the Guam Police Department (GPD) to provide security for:

- Police escort of DPW buses while transporting election materials to and from the polling sites
- Police escort of Early Voting Ballots to and from the vote center
- Police presence at Early Voting Center
- Police presence at each municipal polling place
- Security at Election Headquarters
- Security at Election Return Center
- Police escort of cast ballots to the GEC's main office

Guam Department of Education

The GEC collaborates with the Guam Department of Education (DOE) to utilize the Guam Public Schools as polling sites for each municipality on Election Day.

Superior Court of Guam

A standby Judge is needed on Election Day in the event that a voter or challenger wishes to appeal the decision of the Commission in the process of challenging a voter. In any election, the GEC shall request that a standby Judge be provided by the Superior Court of Guam.

▪ Publications

Notice of Polling Place Location and Hours

Not less than thirty (30) days prior to the date set for any election, The Commission shall designate, announce, and publish the official polling sites and the official precincts, along with the alphabetical range assigned to each precinct where the ballots are to be cast in such election. In the case of a runoff election, the polling places and precincts shall be the same as

PRE-ELECTION DAY PREPARATION

in the election precipitating the need for a runoff, unless determined otherwise by the Commission.

SOURCE: Law governing 3 GCA § 4101

Notice of Election; Publication, Posting

At least thirty (30) days before the date for holding the election, the Commission shall prepare and transmit to each municipal mayor a notice, in writing, designating the office for which candidates are to be nominated at the election, and state the time, date, and the place where the election voting will be held.

Within ten (10) days after transmitting the notice to the municipal mayors, the Commission shall cause notice of the election to be posted in three (3) conspicuous public places in each of the municipal districts of Guam, and to be published at least three (3) times in a newspaper of general circulation in Guam. The notice shall state the time, date, and place where the election voting will be held, together with the offices for which candidates are to be nominated and elected.

SOURCE: Law governing 3 GCA § 15202

Publication of All Candidates and Offices

The Guam Election Commission is to publish the names of all candidates and the offices for which they have declared their candidacy after each filing deadline. The filing deadlines for each office are as follows:

Ninety (90) Days before the Primary Election:

- Governor/Lieutenant Governor
- Senator
- Washington Representative
- Mayor/Vice-Mayor

Ninety (90) Days before the General Election:

- Public Auditor
- Attorney General
- Guam Education Board
- Consolidated Commission on Utilities

SOURCE: Law governing 3 GCA § 6108

Publication of Sample Ballot

At least twenty (20) days before any election, the Commission shall certify to the printer the sample ballot with the names of the nominees thereon in the same order and manner as they will appear on the official ballot, and immediately thereafter cause a true copy of the same to be published at least once in a daily paper of general circulation. The ballot, as published, shall be identical to that used for voting, except for the substitution of the word "Sample" where the word "Official" shall appear upon the election ballot, and may be reproduced for voter instruction in colors contrasting with official ballots.

SOURCE: Law governing 3 GCA § 7104

PRE-ELECTION DAY PREPARATION

Publication of Members of Precinct Board

The Commission shall publish the names of the members of the precinct boards in a newspaper of general circulation published in Guam at least two (2) times, the last publication to be not less than one (1) day before the day of any election.

SOURCE: Law governing 3 GCA § 4108

Publication for Special Election

Upon receipt of the special election proclamation, the Commission shall cause a copy to be published in a newspaper of general circulation, and to be posted in each municipality where such special election will take place, at least twenty (20) days before the scheduled date of the election.

SOURCE: Law governing 3 GCA § 5105

▪ **Site Inspections**

Polling Places

The Guam Election Commission (GEC) Executive Director will send a letter to the Guam Department of Education (DOE) Superintendent or solicit any private property owner requesting use of the Guam public schools or private property as polling locations for the upcoming election. The correspondence should be sent out at least six (6) months prior to the Primary Election. The GEC staff, upon approval of the Superintendent or private property owner, shall visit each polling place no later than 60 days prior to any primary election. The staff will meet with the principal, designated staff member, or private property representative of each facility to be used as a polling location to finalize and confirm rooms or spaces that will be designated for each precinct. Each room to be used as a polling site should meet the following minimum criteria:

1. There should be adequate Accessible Parking spaces (one accessible parking space for every 25 spaces).
2. The room used should be at a reasonable distance from the parking area.
3. Rooms should be on the same level as the parking area. If the facility being used is multi-level, there should access ramps available for persons with disabilities. The ramp to be used should be in compliance with the Americans with Disabilities Act. (one foot run: one inch rise).
4. There should be adequate lighting along the path of travel to and from the parking space and polling area.
5. Restrooms should be at a reasonable distance from the polling area.

The school principal or private property representative should designate a poll maintenance worker whose responsibility will be to ensure that the entrances to the polling sites will be opened no later than 6 a.m. Election Day. That person will be compensated by the GEC.

Prior to Election Day, the GEC staff will set perimeter boundaries for electioneering. The boundaries shall be set in accordance with Title 3 of the Guam Code Annotated. The solicitation of any private facility shall be done in accordance with the Guam procurement

PRE-ELECTION DAY PREPARATION

law.

SOURCE: Best Practice since 2004

Polling Place Accessibility

Attention needs to be given to the special needs of voters with disabilities. It is important to examine the entire polling place, from the parking lot to the entrance of the polling place to the voting area, to assess any areas where temporary accommodations may be needed. The GEC.

Some common problems to look for:

1. If there is an alternate entrance used by voters with disabilities, the pathway to the accessible entrance should be clearly marked and a sign posted at the primary entrance directing voters with disabilities to the accessible entrance.
2. Be sure that if off-street parking is available at the polling location, that any accessible parking spots are marked with appropriate signs and access aisles are clearly designated.
3. Some doors are too heavy to be opened by the elderly or voters with disabilities. Such doors should have automatic openers or should be left open, if designated as the accessible entrance.
4. A voting booth that is accessible to electors in wheelchairs must be set up. This booth must be at least thirty (30) inches wide with a writing surface between twenty-eight (28) and thirty-four (34) inches high in order to meet accessibility standards. A wheelchair accessible table may meet this requirement if supplemented with a curtain.
5. Accessible equipment must be set up in the accessible voting booth in a manner ensuring privacy for voters choosing to use the equipment.

▪ **Equipping the Polling Place**

The Guam Election Commission is responsible for developing a layout for each of the polling places in accordance with 3 GCA § 9103 (i.e. The precincts shall be arranged so that neither the ballot boxes nor tables on which they are placed shall be hidden from the view of voters outside the guard-rail, rope or other barricade). Prior to any election the Commission shall solicit the assistance of the Department of Public Works of the government of Guam to utilize its labor force for the preparation of the polls.

Layout

Prior to Election Day, the GEC officials should consult with the school principals and Poll Maintenance Workers as to the layout of the polling place. It is important to be familiar with the flow of traffic and take a critical look at the polling place, to make sure it will be accessible for all voters, including those with disabilities.

When planning the layout of the polling place, consider the following:

Voting Booths

PRE-ELECTION DAY PREPARATION

- Every polling location is required to be able to service a minimum of eight (8) voters at a time.
- One booth must be at least thirty (30) inches wide with a writing surface between twenty-eight (28) and thirty-four (34) inches high in order to meet accessibility standards.
- Precinct Officials must be trained to properly assemble all voting booths and curtains.
- Booths must have a surface on which to write and be sufficiently enclosed to ensure privacy for the elector. It is important to remember that the accessible booth must also be sufficiently enclosed to ensure privacy for the elector. This can be achieved by using a privacy shield or by positioning the booth/equipment so that it is facing away from the view of the room.
- Appropriate marking devices (pencils, pens, etc.) for use with the voting equipment, if any, must be provided.

Ballot Boxes

- One ballot box is required for each type of ballot used in the election.
- The boxes should be clearly labeled to indicate its designated precinct and the ballots (i.e. partisan and nonpartisan) that are to be deposited in them.
- There should be a suitable lock for each ballot box.

Tables and Chairs

- Ensure that there are enough tables and chairs for election officials to conduct their work, as well as adequate seating for voters waiting to be serviced.

Signs

- Traffic in the polling place can be improved by posting “Enter” and “Exit” signs. In addition, signs marking the accessible path should be prominently posted and easy to read from the parking lot.
- Directions that instruct voters on how to mark ballots, provide proof of identification and sign the Election Day rosters can make the check-in process more efficient. (NOTE: These signs are to be distributed in the supply boxes on Election Day).

A Designated Poll Watcher Area

- The Poll Watcher area must be in the polling site at least eight (8) to ten (10) feet from the ballot box(es).

SOURCE: Rule governing 6 GARR § 1202

■ **Ballots**

Blank Ballot Inventory

The GEC shall maintain a minimum inventory to cover an island-wide election based on the current registration with an increase factor of fifteen percent.

PRE-ELECTION DAY PREPARATION

Prior to an election cycle, the GEC shall order a sufficient number of ballots to cover the Primary, General, and possible Run-off Elections. Ballot orders should be made at the start of the fiscal year to ensure the ballot stock will be received well in advance of upcoming election.

Ballot Design/Name Placement on Ballot

The ballot layout shall be submitted to legal counsel to ensure compliance with the requirements of Title 3 GCA. Once reviewed, the ballot design and layout shall be forwarded to the GEC Board of Commissioners for approval and adoption.

Candidates will draw numbers at random to determine the order in which their name will appear on the ballot. Each candidate shall have the opportunity to review and verify how their name and additional identifiers will appear on the ballot. Any corrections or adjustments may be made during the ballot placement drawing.

SOURCE: Law governing 3 GCA §§ 7105 & 7106

Ballot Printing

The ballot printing process shall only commence once the GEC Board of Commissioners has approved the ballot layout. Upon approval of the ballot layout, the Executive Director shall approve the ballot layout for printing.

Proofing

- The ballot used is the current form
- The ballot contains only the offices up for election
- All office titles are correct, spelled correctly, and in the correct order
- All candidates' names are spelled correctly and are in the correct order
- The form of each candidate's name reflects the candidate's desire as indicated on the Candidate's Information Card
- The Guam Election Commission's Executive Director will approve final ballot proof before print.

Printing

- The number of ballots printed shall be two percent (2%) greater per precinct than the number of registered voters at the time of printing.
- One hundred (100) ballots shall be reserved for absentee and early voting.
- Access to electronic ballot files shall be restricted to authorized staff only.
- All printed ballots shall be hand-counted, with the total and print date recorded in a log.

NOTE: There shall be at least two (2) GEC Staff present during the Proofing and Printing process at all times.

Completion of Printing

PRE-ELECTION DAY PREPARATION

- When all of the printing is complete, 100 ballots from each precinct will be placed in separate folders and labeled accordingly. These ballots will be used for absentee/early in-office voting. 5 ballots will be used as a test deck for the public testing of the tabulators the night before an election.
- The remaining ballots will then be counted, packaged and labeled according to their precincts, corresponding stock numbers, and quantity.
- The packaged ballots will be placed in their ballot boxes and secured in the GEC's main office until distribution.
- Once the printing of all ballots have been completed, the GEC shall prepare and present to the Board a final inventory sheet reporting on the total number of ballots printed to include: damaged ballots, ballots apportioned for absentee, ballots apportioned for coding, ballots apportioned for test election, and ballots to be distributed to each precinct.

Printing of Provisional Ballots

The Commission will provide provisional ballots to each precinct in accordance with 3 GCA § 14102. The provisional ballot is printed with a different color ink and paper with the words “Official Provisional Ballot” printed across the top.

SOURCE: Rule governing 6 GARR § 1401

Pre-Election Ballot Security

The Commission shall designate a secured area in which the ballots, both marked and unmarked, will be stored. The secured area should have an access control system that maintains a log of who accesses the area. Access will only be granted when there are at least two staff members scan into the system. At no point in time should the area be accessed by only one staff member. This area should also have 24-hour CCTV monitoring.

- **Election Day Supplies and Materials**

The Commission shall prepare a supply inventory sheet (Form EC-12) listing the materials delivered to each precinct. The supplies and materials should include but not be limited to:

- Election Manual highlighting the duties and responsibilities of the precinct members
- Election Headquarters contact information
- Ballot Box(es)
- Precinct Signs
- Voter Signature Roster
- .
- Sample Ballots
- Voter Instruction
- Voting Booths

SOURCE: Rule governing 6 GARR §§§ 1201, 1210 & 1216 (1)

- **Ballot Counting Devices**

PRE-ELECTION DAY PREPARATION

Prior to any election in which the GEC's ballot scanner and tabulators are to be used, the GEC will contact the tabulator vendor to seek assistance in the preparation of the machines. The vendor should send a certified technician to ensure that each machine is operating properly and efficiently. GEC staff will take inventory and replace any supplies needed (compressed air can, rubbing alcohol, cotton swabs, paper, etc.) Each machine used should have an accompanying maintenance log that should include the date, a description of the work performed on the machine, and who performed the work.

▪ Inspecting Ballot Boxes and Supply Boxes

Prior to any election, GEC staff should verify the total number of official ballots issued to the various precincts and ensure that each ballot stock number corresponds to the correct precinct labeled on the ballot box. GEC staff should input all pertinent information on the EC-16 form, the Ballot Box/Supply Box/Ballot Transfer Record form. The supplies should be crossed-checked using the Supply Inventory Sheet, Form EC-12.

▪ Election Return Center Preparation

The Commission shall maintain within Guam an Election Return Center for the tabulation of votes and publication of returns.

SOURCE: Law governing 3 GCA § 11108

Entrance/Exit

There should be a designated area for precinct officials to enter and exit the tabulation center. At the entrance, there should be a check-in station utilized by GEC staff to verify all officials entering.

Ballot reconciliation section

There should be ample space for precinct officials to review and account for all ballots and supplies issued to them in the morning. There should also be a designated area for GEC staff to assist any precinct officials in this process should they have any questions regarding the process.

Supply Return Section

There should be a designated area for the GEC staff to ensure that all supplies issued are returned to the GEC. This area should have sufficient space to store the supplies during the tabulation process.

Tabulation Section

The area designated for tabulation should have limited access to only the GEC Commissioners, staff, and deputized tabulation clerks. There should be a designated area within the tabulation section for precinct officials to surrender all cast ballots and for GEC officials to acknowledge receipt on the chain of custody form issued to the officials in the morning.

PRE-ELECTION DAY PREPARATION

If it is determined that the GEC will use its mechanical tabulation equipment, there should be sufficient power sources to run the machines. These power sources should be on different power circuits to prevent overloading the circuit and compromising the tabulation process.

There should also be a designated area for the GEC Board of Commissioners to convene a meeting to discuss Election Day matters and resolve ballots with any issues.

Ballot Replication Section

There should be a designated area for GEC Commissioners to meet to discuss what actions are to be taken regarding questionable and damaged ballots. The Ballot Replication Section shall be within the tabulation section in plain view. The following supplies and materials shall be provided in the ballot replication section:

- A ballot control log
- Unmarked ballots for each precinct
- Empty ballot box with lock and key
- Envelopes

Best Practice since 2000

Observation Section

There should be a restricted area for designated political party officials and media outlet members to observe the tabulation process.

Security of Election Return Center

Access to the Election Return Center should be restricted to authorized personnel and representatives of the two political parties and media partners. The Executive Director shall solicit the assistance of the Guam Police Department for the security of the Election Return Center.

▪ Test Election – Security and Testing of Ballot Counting Devices

Prior to any Election in which ballots will be tabulated using an electronic scanner, the GEC will conduct public logic and accuracy test to ensure there are no errors in the programming. The executive director shall inform the chairpersons for each political party as well as invite the public to the test.

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Logic and Accuracy Testing procedures

To test scanner accuracy, GEC staff shall prepare a test deck using at least five (5) pre-marked ballots per precinct. The ballots will be hand-tabulated, and results compared to the scanner's output.

Public Testing of Scanners

PRE-ELECTION DAY PREPARATION

- 1 Prior to scanning any ballots, the operators of each scanner will clear all results and print the
- 2 results showing zero (0) votes to be certified by the GEC board. The test deck ballots will then
- 3 be scanned, and compared to the hand-tabulated results. The board shall certify that the
- 4 results match. Media and party representatives may observe the entire process.

ABSENTEE VOTING

▪ Qualifications for Voting Absentee

Any qualified voter of the territory of Guam may, as provided in this chapter and subject to the conditions of this section, vote at an election by absentee ballot if he/she will be prevented from personally going to the polls and voting on Election Day because of:

- a) The conduct of his business or due to other necessary travel, or
- b) Illness or physical disability, or
- c) Service in the Armed Forces or Merchant Marine of the United States, or
- d) Employment with the government of Guam, or
- e) Attendance at an institution of learning, or
- f) Employment in the service of the United States or any Federal agency, or
- g) Accompanying a spouse who is engaged in any activity listed (a-f), above

SOURCE: Law governing 3 GCA § 10101

The Commission decided that residents of Guam leaving the island on a vacation would be considered eligible to vote via absentee ballot under “necessary travel” as stated in 3 GCA §10101

SOURCE: Board Policy 6/3/1974

▪ Classifications of Absentee Voters

For reporting purposes, all Absentee Applicants are categorized under one of the following:

Off-Island Voters are any qualified voters who is not physically present on Guam to vote at the polls on Election Day due to the conditions provided in 3 GCA §10101

UOCAVA Voters are (1) members of the uniformed services on active duty and the merchant marine who, because of their membership in the service, are absent from their place of residence, and are otherwise qualified to vote; (2) the spouses and dependents of these uniformed services voters who are absent due to the member's active duty or service and (3) qualified voters or merchant marine who reside outside of the United States.

SOURCE: Law governing 2009 MOVE Act

Early In-Office Voters are any qualified voters who may vote by Absentee Ballot in the Commission’s office no more than thirty (30) days or less than five (5) day before the day of election, in accordance with 3 GCA §10107

Homebound Voters are any qualified voters on Guam who is unable to physically present himself at the poll on Election Day due to conditions in 3 GCA §10101 (b).

▪ Absentee Application

EC-23 Form – Absentee Application

This form is used by the GEC as a request for an Absentee Ballot for those unable to be at the polls on Election Day. In the event that the applicant is not a registered voter, the absentee application shall serve as a registration form. The applicant application shall be duplicated and attached to the applicants Affidavit envelope upon receipt by the GEC.

ABSENTEE VOTING

SOURCE: Law governing 3 GCA § 10103

Standard Form 76 – Federal Post Card Application

This Form is issued by the United States Postal Service, Federal Election Commission and any Voting Officer of the Armed Forces of the United States and will be completed by Federal Government employees, Military personnel and their dependents. The Standard Form 76 may be used as a registration form if the applicant is not registered.

SOURCE: Board Policy 10/16/1984

▪ **Ballot Inventory**

The Commission shall maintain an inventory detailing the amount of absentee ballots received from the printers, the amount of absentee ballots used, unused, and spoiled during the Off-island, Homebound, and In-Office voting process.

SOURCE: Public law 31-61 Section 3 (b)(3)

▪ **Form of Absentee Ballot**

The absentee ballot may, but need not be, in the same form as the regular ballot used in the election. For off-island absentee voters, uniformed and overseas citizens voting absentee, the Commission shall inform such absentee voters of the option to request to receive an absentee ballot electronically by email transmission and provide electronic mail and cost free telephonic contact information to such voters so that those voters may make the request to the Guam Election Commission. Absentee ballots shall be mailed or transmitted by email to absentee voters in the manner requested, within forty-eight (48) hours of request or within forty-eight (48) hours, except Sundays, of certification of the ballots, whichever is later.

SOURCE: Law governing 3 GCA § 10108

▪ **Review**

All absentee applications received by the GEC shall be reviewed by GEC staff and, upon review, are subject to approval or disapproval by the Executive Director. Any absentee applications that are rejected are to be presented to the GEC's Board of Commissioners for further review.

SOURCE: Board Policy 10/2/1974

▪ **Early In-Office Voting**

The Commission shall not more than thirty (30) days nor less than five (5) days prior to any election conduct Early In-office voting for any voter wishing to vote by way of absentee as prescribed in 3 GCA §10101. The commission shall determine the location, time, duration, and specific days on which Early In-office voting will be held.

SOURCE: Law governing 3 GCA § 10107

Early In-Office Security

The Guam Election Commission (GEC) shall solicit the assistance of the Guam Police Department or any other public safety agencies to ensure the security and safety of ballots and voters. The requested services shall include but not limited to:

ABSENTEE VOTING

- a) Providing security escorts for the transportation of marked and unmarked ballots.
- b) Stationing security personnel at vote centers to maintain order and voter safety.

The GEC shall coordinate with the designated law enforcement agencies in advance to confirm security and ensure proper implementation of safety measures throughout the early in-office voting period.

Early In-Office Notice

The Guam Election Commission shall prior to the start Early In-Office period publish in a general circular and on its website a notice of Early In-Office Voting. The Notice shall include but not limited to:

- a) Location of vote center
- b) The days and times when Early In-Office will be available
- c) Deadline for Early In-Office Voting
- d) Any additional information relevant to Early In-Office Voting

The notice shall be made with sufficient time to inform the public and allow for participation during the Early In-Office period.

Log Book

The Commission shall maintain a log of all Early In-Office voters who cast their absentee ballot with the Commission. The Log shall contain the voter's:

- Name;
- Date of Birth;
- Signature;
- Mailing Address;
- Voting District; and
- Date the Voter Voted

Early In-Office Application

Any voter intending to vote during the Early In-Office Voting period must complete an application to vote, in accordance with 3 GCA §10107(a). The application must prominently display the following statutory provisions:

- a) 3 GCA § 8203 – Unlawful Registration as a Crime
- b) 3 GCA § 8216(b) – Fraudulent Voting
- c) 3 GCA § 8126(d) – Fraudulent Voting

Election officials must ensure that each voter completes and submits the application before receiving a ballot. The completed applications shall be properly recorded and stored in accordance with the GEC's retention schedule.

SOURCE: Law governing 3 GCA § 10107 (a)

Early In-Office Affidavit

ABSENTEE VOTING

Any voter intending to vote during the Early In-Office Voting period must complete an affidavit to vote, in accordance with 3 GCA §10107(b). The application must prominently display the following statutory provisions:

- a) 3 GCA § 8216(b) Fraudulent Voting
- b) 3 GCA § 8126(d) Fraudulent Voting
- c) 3 GCA § 10107 Early In-Office Absentee Voting
- d) 3 GCA § 10111 Marking Ballot
- e) 3 GCA § 10112 Taking and subscribing Oath
- f) 3 GCA § 1113-Officers Before Whom Voter May Appear

Election officials must ensure that each voter completes and submits the affidavit before receiving a ballot.

▪ **Vote Center**

The Guam Election Commission shall solicit the use of any public or private facility to serve as the voting location during the Early In-Office period. Any solicitation of a private facility shall be done in accordance with the procurement laws of Guam. The facility should adhere to the minimum criteria for polling place and polling place accessibility as outlined in the “site inspection” section of this manual.

Accessible Voting at Vote Center

Accessible Voting shall be available for individuals who are unable to physically enter the polling site. The Guam Election Commission (GEC) must designate an area within the Vote Center for Accessible Voting operations. This area must be near a parking location to ensure convenience and ease of service for voters requiring accommodations.

Procedures:

1. The voter arrives and parks in the designated accessible voting stall.
2. An election official verifies the voter’s identity and takes their identification to the Accessible Voting operation area for processing.
3. Two election officials retrieve the voter’s ballot, Early Voting Application, and Affidavit Envelope, then escort these materials to the voter’s vehicle.
4. The voter shall verify the information on Early Voting Application and Affidavit Envelope is complete and accurate.
5. Upon completion of the Early Voting Application and Affidavit envelope, the Election official reads aloud the ballot instructions and then allow the voter mark their ballot from within their vehicle.
6. Once voting is complete, the ballot is placed inside the Affidavit Envelope, which an official seals and signs the Affidavit envelope in front of the voter.
7. Two officials shall escort the sealed Affidavit Envelope containing the voter’s marked ballot to the Accessible Voting operation area to be placed into a locked ballot box for secure storage.

All steps must follow election security protocols to ensure the integrity and confidentiality of the voter’s ballot.

ABSENTEE VOTING

▪ **Homebound Voting**

The Commission shall not more than thirty (30) days up to the closing of the polls on Election Day conduct Homebound voting for any voter wishing to vote by absentee as prescribed in 3 GCA §10101 (b).

Homebound Representative

The Commission shall solicit to the chairpersons of each political party the names of the representatives who is to accompany the Deputized Homebound Officials. The Homebound Voting process shall be conducted with one (1) deputized homebound official and one (1) Homebound Representative from each political party. If in the event a political party representative is unable to witness the Homebound voting process, two (2) Deputized Homebound Officials may carry out the Homebound voting process.

Guideline for Homebound Representatives

The following guidelines for Homebound Representatives shall be strictly adhered to during the Homebound Voting process. Homebound Representatives:

- Shall be identified along with the political party they represent;
- Shall not wear any political paraphernalia in support of or against any candidate or initiative question;
- Shall not interfere at any time with the duties of the Deputized Homebound Official;
- Shall not solicit a vote or speak with a voter regarding the marking of their ballot; and
- Shall not have any access to marked or unmarked ballots

Failure to comply with any of these rules, shall result in the immediate removal of the Homebound Representative or Deputized Homebound Official.

Solicitation of Hospitalized Voters

Prior to any election, the Commission shall solicit from the Guam Memorial Hospital, U.S. Naval Hospital Guam, and the Guam Regional Medical Center a list of patients who will be prevented from going to the polls on Election Day due to an illness or disability.

SOURCE: Best practice since 2000

▪ **Spoiled Ballot Procedures**

Any voter who spoils his or her ballot can request another ballot. Before issuing the voter another ballot, however, the GEC Official or Deputized Homebound Official are to take the spoiled ballot from the voter and deface it by writing a large "X" in ink and place it into the designated (partisan or non-partisan) Spoiled Ballot Envelope. All spoiled ballots shall be counted and placed and sealed in an envelope endorsed "Spoiled Ballots, all spoiled ballots received from In-Office or Homebound voters shall be recorded and placed under lock and key after every business day.

SOURCE: Law governing 3 GCA § 9138

Any voter who spoils a ballot may return it to a member of the precinct board and receive another in its place, one (1) at a time, not to exceed three (3).

ABSENTEE VOTING

SOURCE: Law governing 3 GCA § 9137

▪ **Security of Absentee Ballots**

Immediately at the end of every business day, the Commission shall secure under lock and key with limited access all Off-island, Homebound, and Early In-Office absentee ballots received that day. A log shall be maintained detailing the names of the absentee voters and the date in which their ballot(s) were received.

Not less than one (1) day prior to any election, the Commission shall record all absentee ballots received on the Absentee Ballot Transfer Receipt Form EC-15 to be distributed to the precincts.

▪ **Absentee Ballots Received Ten (10) Days After**

The Commission shall continue to receive off-island absentee ballots up to the close of business on the tenth (10th) day after an election. The Commission shall continue to keep a log for all absentee ballots received during the ten (10) day period, detailing the names of the absentee voters and the date in which their ballot(s) were received. All ballots received shall be stored under lock and key with limited access until they are needed for tabulation.

SOURCE: Law governing 3 GCA § 10114

▪ **Status Reports**

Absentee Status Report to Voters

The GEC shall prepare a report on the status of absentee voters' applications. The report shall include application receive date(s), approval or disapproval, and ballot status (i.e. ballot sent, ballot received). The report shall be made available for applicants to review.

Should an applicant's application be disapproved or pending information, the GEC shall contact them within forty-eight (48) hours informing them of their application status.

Status Report on Absentee Applications and Ballots (EC-25)

This is a report that shows the number of Absentee Applications that have been received, approved, pending and requests that are canceled. It also reports the number and type of ballots sent out to the applicants. (The report will consist of Off-island, In-Office, and Homebound applications and ballots).

ELECTION DAY

▪ **Dates of Election**

Primary Election

The primary shall be conducted at the polling place or places determined by the Election Commission in each district on the first Saturday of August in every even-numbered year.

SOURCE: Law governing 3 GCA § 15201

General Election

The General Election is held throughout Guam on the Tuesday next after the first Monday in November in each even-numbered year.

SOURCE: Law governing 3 GCA § 1106

Runoff Election

Runoff Election means an election held subsequent to a general election pursuant to the provisions of § § 1422 and 1712 of Title 48 of the United States Code.

SOURCE: Law governing 3 GCA § 1111

Upon the Commission determining that a runoff election is required, the Commission shall order and conduct a runoff election to be held on the fourteenth (14th) day following the date of the election which precipitated the need for the runoff. The Commission shall publish notice of the runoff in a newspaper of general circulation on Guam at least four (4) times, with the last one being issued on the runoff date.

SOURCE: Law governing 3 GCA § 13105

Postponement of an Election

If for some serious cause resulting from any natural phenomenon, or act of God, or of public enemy, it become reasonably impossible to hold any election duly scheduled on Guam as a whole, or in any municipality or municipal division, I Maga'lāhen Guåhan or I Liheslaturan Guåhan with the advice and consent of I Liheslaturan (the Legislature), upon recommendation of the Commission, may postpone any such election therein for such time as they may deem necessary, but in no event shall such postponement exceed thirty (30) days from the date when such election should have been held. If additional time is necessary, the election may be postponed pursuant to the manner described in this Section.

SOURCE: Law governing 3 GCA § 5103

Proclamation for Special Election

At least thirty (30) days before any special election, I Maga'lāhen Guåhan shall publish an election proclamation, and transmit copies to the Commission. The proclamation shall contain a statement of the date and time of election, and of the office or offices to be filled.

SOURCE: Law governing 3 GCA § 5104

▪ **Delivery of Ballots, Machines, and Supplies**

ELECTION DAY

A Ballot Box/Supply Box and Ballot Transfer Record (Form EC-16) must accompany ballot boxes to each precinct. The Precinct Leader, or in his or her absence, any of the four precinct clerks, shall immediately conduct an inventory of the number of ballots received and compare the total number counted with the number shown on Form EC-16. If for any reason the numbers do not agree, the official shall show the actual count received on Form EC-16. The Form EC-16 must be returned to the Commission's voter/ballot clearance officer at the tabulation center. The Commission shall also prepare a Supply Inventory Sheet (Form EC-12) listing materials delivered to each precinct. The Precinct Leader is designated, or, in his or her absence, any of the four precinct clerks, to receive and sign the receipt for the materials sent by the Commission. A Precinct Official shall conduct an inventory. If for any reason the numbers in Form EC-12 differ from the inventory, the precinct board shall show in the Form EC-12 the actual numbers of supplies received. The Form EC-12 shall be submitted to Election Commission staff at the tabulation center.

SOURCE: Rule governing 6 GARR § 1201

Roster and Tally List

The Roster and Tally list provided to each precinct shall contain the following voter information:

- Name;
- Date of Birth;
- Address;
- A line designated for the voter's signature.

The Commission may, at its discretion, provide each precinct with a machine or electronic device containing a digital copy of the Roster and Tally list, provided that the device is capable of capturing and recording a voter's signature in a secure and verifiable manner.

SOURCE: Rule governing 3 GCA § 9116

■ **Polling Places**

Setting up Polling Places

Before the opening of the polls, precinct officials should take the time to ensure that the polling place is set up correctly in accordance with the layout provided by the Guam Election Commission and that they have all the necessary supplies. The way a polling place is set up affects how easy it will be for precinct officials to perform their tasks and for voters to cast their ballots. Proper polling place set-up is vital to ensuring that Election Day runs as smoothly as possible.

- *Voting Booths*
 - Booths are required to be placed apart from other activities such as checking in and registering.
 - All booths must be placed together in the same vicinity, including booth(s) containing the accessible voting equipment.
- *Signs*

ELECTION DAY

- Precinct officials are to post one (1) Voter Instruction sign inside each voting booth.
- The following signs shall be posted throughout the precinct:
 - Precinct Signs (*to be posted at the entrance of the precinct)
 - Voter Instruction
 - Sample Ballot (*to be posted at the entrance of the precinct)
 - Voter Assistance
 - 100% I.D. Check
 - No Media Beyond This Point (*to be posted at entrance of the precinct)
 - Provisional Ballot Guidelines
 - No Loitering
 - No Electioneering
 - No Smoking

▫ *Barricades*

A guard-rail, rope or other form of barricade shall be assembled, constructed or arranged and placed so that only those persons who are inside the barricade can approach within six (6) feet of the ballot boxes, booths, tables or other facilities set up for voting.

SOURCE: Law governing 3 GCA § 9113

▫ *Exhibiting the Ballot Box*

Before receiving any ballots, the precinct board shall, in the presence of any voters already assembled at the polling place, display the locked ballot box. Thereafter, the ballot box shall not be removed from the polling place or from the presence of any voters until the polls are closed.

SOURCE: Law governing 3 GCA § 9115

Prohibited Activities

Members of the Precinct Board shall ensure that the following prohibited activities are adhered to within the precinct:

- Wearing any election paraphernalia (i.e. shirts hats, buttons, etc.) related to candidates, parties, or referenda that are intended to influence the election.
- Interacting with voters while in the voting booth except when asked to provide assistance in marking their ballot.
- Watching voters mark their ballots
- Having conversation about candidates, parties or ballot questions
- Using cellphones for voice calls while in the voting area
- Using video or still cameras to record how any voter has voted
- Solicitation in the voting area

SOURCE: Law governing 3 GCA § 9111

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Electioneering

Electioneering is any activity intended to influence voting at an election. No person shall do any electioneering on Election Day within one hundred (100) feet of any entrance and/or exit of any polling place. In the case of a school, the entrance is hereby defined as the entrance gate, if the school is fenced. The Commission may, on a case-by-case basis and limited to the election then forthcoming, create an exception to this Section through resolution in order to safely conduct the election. Notices identifying the newly set perimeter also shall be clearly posted at the polling place(s) affected.

SOURCE: Law governing 3 GCA § 9112

Solicitation of Votes at Polling Place Prohibited.

Enforcement of 3 GCA § 9112 rests with the Precinct officials and the Guam Police Officer assigned to the precinct. Anyone who has actual knowledge of any person soliciting votes on behalf of any candidate or speaking against any candidate should report the violation to a member of the precinct board. "Polling place" refers to the whole area where voting takes place including entire grounds of schools or other public buildings utilized as a polling place.

SOURCE: Rule governing 6 GARR § 1209

Absence of Precinct Official

In the event a Precinct Clerk or the Leader fails to appear on Election Day, a precinct official should immediately notify the Commission for the vacancy to be filled. The Precinct Leader shall use Form EC-18, Record of Poll Status / Precinct Official Report, to document the name of any Precinct Official who fails to report on Election Day, record the substitute's name, and make notations regarding any unusual situations that may arise. (Form EC-18 is also the form to document the time the polling place was declared open.) The Precinct Leader shall also record in the Precinct Log Book the name of the absent precinct official and the name of the person who filled that vacancy.

SOURCE: Law governing 3 GCA § 9117

■ **Before the Polls Open**

All Precinct Officials shall report on Election Day to their assigned precincts no later than 6:00 a.m. As polls will be open an hour after arrival at the polling place, it is imperative that Precinct Officials work diligently and cooperatively as a team to be ready at 7:00 a.m. when voting officially begins.

- The assigned transport officer or the accompanying Guam Police Officer will hand to each precinct two (2) ballot boxes and a sealed supply box. If the ballot boxes and the sealed supply box are not delivered by 6:30 a.m., a Precinct Official must call Election Headquarters immediately. In this case, Precinct Officials can anticipate a delay in declaring the polling place open and should be prepared to document the reason or cause for any delay.
- A Ballot Box/Supply Box and Ballot Transfer Record (Form EC-16) must accompany ballot boxes to each precinct. The Precinct Leader, or in his or her absence, any of the four precinct clerks, shall immediately conduct an inventory of the number of ballots

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received and compare the total number counted with the number shown on Form EC-16. If for any reason the numbers do not agree, the official shall show the actual count received on Form EC-16. The Form EC-16 must be returned to the Commission's voter/ballot clearance officer at the Election Return Center.

- The Commission shall also prepare a Supply Inventory Sheet (Form EC-12) listing materials delivered to each precinct. The Precinct Leader is designated, or, in his or her absence, any of the four precinct clerks, to receive and sign the receipt for the materials sent by the Commission. A Precinct Official shall conduct an inventory of all supplies and materials received. If for any reason the numbers in Form EC-12 differ from the inventory, the precinct board shall show in the Form EC-12 the actual numbers of supplies received. The Form EC-12 shall be submitted to Election Commission staff at the Election Return Center.

SOURCE: Rule governing 6 GARR § 1201

- Precinct Officials must wear identification badges at all times. There will be a badge for each Precinct Official. Extra badges shall be available for substitute Precinct Officials if necessary.

Counting Supply of Ballots:

- Retrieve the Ballot Inventory Sheet Form EC-13 and Ballot Inventory Sheet (Provisional) Form EC-13P.
- Retrieve ballot packages and place aside with Forms EC-13 and EC13P. Packages are:
 - One (1) labeled Partisan;
 - One (1) marked Non-Partisan;
 - One (1) labeled Provisional Partisan; and,
 - One (1) marked Provisional Non-Partisan.
- Open the package labeled Partisan and count the number of ballots in stacks of 25 (this may make it easier in the event a second count is necessary). Compare the total counted to the number shown on Ballot Box/Supply Box and Ballot Transfer Record Form EC-16. Any difference between the precinct count and that shown on Form EC-16 should be entered on Form EC-13. If there is no difference, enter the count. It is **important** that all five precinct officials attest to the count. Place partisan ballots aside.
- Repeat the same process outlined in "Counting supply of ballots" for the Non-Partisan, Provisional Partisan, and Provisional Non-Partisan ballots. Again, all five precinct officials must attest to the number of ballots received and counted. Make certain to record the numbers on appropriate lines in PART I(A) of Partisan Form EC-13, Non-Partisan Form EC-13 and Provisional Form EC-13P, and Part III(D) of Provisional Form EC-13P.
- Any **Absentee Ballot Envelopes** from voters received by the GEC before Election Day will be delivered in the supply box. Count the number of Absentee Ballot Envelopes received. Verify the count against the number indicated on the Absentee Ballot Transfer/Receipt Form EC-15. Record the number of Absentee Ballot Envelopes

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received on Part I (B) of Form EC-13. GEC presumes that all absentee ballot envelopes contain ballot(s). Securely place absentee ballot envelopes back in the supply box. Any Absentee Ballots received by GEC throughout Election Day will be delivered to the respective precincts.

If printed ballots are available, precinct officials may count and verify the total number of unused ballots assigned to them on election day during the precinct official trainings. Each official must attest to the accuracy of their count by signing a verification form. All counted ballots for each precinct will be packaged together with the signed attestation to ensure accountability and custody.

▪ Opening the Polls

The Precinct Leader must ensure everyone is at his or her assigned place and ready to receive voters. The Precinct Leader will record the time he/she declared the polling place open, and the names of any substitute Precinct Official(s) on the Record of Poll Status / Precinct Official Report EC-18. Barring any delay and promptly at 7:00 a.m., the Precinct Leader will proclaim clearly and loudly, "THE POLLS ARE OPEN." The Precinct Leader shall display the empty ballot boxes to voters already present before proceeding to lock the boxes before the first ballots are cast. Ballot boxes shall remain locked throughout Election Day, and shall not be removed from the polling site until after the polls close.

▪ Voting Procedures

The GEC continually works to maintain public confidence in the democratic process and to ensure that Election Day runs as smoothly as possible. To promote uniformity in the electoral process, the GEC has developed voting procedures for members of the precinct board to follow as prescribed by Title 6 GARR 1216 (5)

Reporting of Name and Signing of Roster

A person desiring to vote shall state his or her full name and address to the precinct officials at the polling place. After verifying the person's identity and determining that the person's name appears as a registered voter on the precinct roster, the precinct officials shall clearly and loudly announce the person's name. If no person challenges the person's right to vote, or if, after a challenge, the precinct board determines that the challenged person is entitled to vote, the person shall be required to sign the roster and then be permitted to vote. In the case of a person who is unable to sign the roster, a precinct official shall so note that fact on the roster, and two (2) other precinct board members shall initial the entry. The person shall then be permitted to vote. Any person whose right to vote is denied by the precinct board may immediately appeal the decision to the Commission and, if unsuccessful, to the Superior Court of Guam.

The GEC may, at its discretion, provide precincts with electronic devices containing a digital roster and tally list capable of securely capturing and recording voter signatures, and will establish procedures to ensure their proper use and accuracy.SOURCE: Law governing 3 GCA § 9126

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A Precinct Clerk should courteously ask the voter for a photo identification card (ID). Verify the ID card against the information shown in the signature roster. Ask the voter to state his/her name, date of birth and mailing address.

Acceptable Forms of Photo Identification:

- Driver's license or ID card issued by a state or possession of the United States; provided that it contains a photograph and information showing name, date of birth, sex, height, eye color and address;
- ID card issued by federal, state or local government agencies or entities; provided that it contains a photograph and information showing name, date of birth, sex, height, eye color and address;
- Native American Tribal photo identification card
- School ID card with a photograph;
- Voter registration ID card; U.S. Military ID card or draft record; military dependent's ID card;
- U.S. Coast Guard Merchant Mariner card; or
- An identification card that is compliant with the provisions of the Real ID Act of 2005.

SOURCE: Rule governing 6 GARR § 1216 (5)

Once it is certified that the voter's name appears on the roster the Precinct Clerk shall announce the name of the person who is next in line to vote.

E.g.: "Juan Cruz is now voting"

Using a straight-edge ruler, the Precinct Clerk shall cross out the voter's name and data on the Original Voter Signature Roster with a red-ink ball-point pen. The Precinct Clerk will then have the voter sign on the proper line next to the voter's name with a blue or black pen.

Voter's Change of Name

If the full name or surname of any person desiring to vote has been legally changed since that person registered, that person shall report both his or her name as it was before the change, and his or her name as it is at the time of the election; provided, that the person presents to the precinct officials a legal document or other satisfactory written proof of the name change. The precinct board shall thereupon make the necessary adjustment in the register, indicating the reason for the change therein, and thereafter permit the person to vote.

SOURCE: Law governing 3 GCA § 9127

Voter Instructions

Before issuing a ballot, the Clerk should advise the voter to read the instructions printed on the ballot and also must give verbal instruction to how a voter should mark their ballot(s). The commission shall provide ballot instruction cards to each precinct.

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- Precinct Officials are to explain the instructions in English or Chamorro only. When using the Chamorro language, the Precinct Official shall verbally communicate only those instructions outlined in the ballot instruction card. Any other communication with the voter is subject to penalty. After verbal instructions are completed, the Precinct Leader or Clerk should direct the voter to the voting booth.

One Ballot to Each Voter

- Only one (1) ballot or one (1) set of ballots shall be given to each voter

SOURCE: Law governing 3 GCA § 9128

Number of Persons Permitted in the Voting Booth

Booths shall not be occupied by more than one (1) person at a time, except as provided by 3 GCA § 9136. Voters shall not remain in or occupy a booth longer than is necessary to mark their ballots.

Voting in Booth

Upon receiving a ballot or set of ballots, the voter shall forthwith, and without leaving the enclosed area, proceed alone to one (1) of the designated places, booths or tables provided to prepare his or her ballot.

SOURCE: Law governing 3 GCA § 9131

Immediately following certification, a voter is not permitted to leave the enclosed space until the voter has properly deposited his or her ballot(s) into the ballot box(es)

SOURCE: Rule governing 6 GARR § 1213

Spoiled Ballot Procedure

Any voter who spoils his or her ballot can request another ballot. Before issuing the voter another ballot, however, Precinct Officials are to take the spoiled ballot from the voter and deface it by writing a large “X” in ink and place it into the designated (partisan or non-partisan) Spoiled Ballot Envelope. DO NOT INSERT ANY SPOILED BALLOT IN ANY BALLOT BOX. All spoiled ballots shall be counted and placed and sealed in an envelope endorsed “Spoiled Ballots,” and returned to the Election Return Center along with the roster, ballot boxes, unused ballots, and all other documents, materials and supplies at the closing of the polls.

SOURCE: Law governing 3 GCA § 9138

Any voter who spoils a ballot may return it to a member of the precinct board and receive another in its place, one (1) at a time, not to exceed three (3).

SOURCE: Law governing 3 GCA § 9137

Processing Absentee Ballots

At any time between the opening and closing of the polls on Election Day, the precinct board shall announce the absent voter’s name, and compare the signature between that shown upon the application and the signature upon the affidavit. The precinct board shall determine

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if the affidavit is sufficiently executed, that the signatures correspond, that the applicant is a duly qualified elector of the precinct, and that the applicant has not voted in person at such election, and open the outer or carrier envelope and the return envelope. The board shall then deposit the unopened ballot envelope in the ballot box. Upon depositing the unopened ballot envelope in the ballot box, the board shall indicate on the signature roster next to the voter's name that such voter has voted absentee.

SOURCE: Law governing 3 GCA § 10117

On Election Day the Commission shall deliver, if there are any, absentee ballots and affidavits to the precinct(s) along with the Absentee Ballot Transfer Receipt (Form EC-15). The precinct board shall immediately take inventory of all absentee ballots received. Should the name(s) or number of absentee ballots received differ from that shown on Form EC-15, the precinct board shall record the difference on Form EC-15 and immediately notify the Commission. Form EC-15 shall be submitted to Election Commission staff at the tabulation center. The precinct officials prior to the closing of the polls shall cross check the names of absentee voters listed in Form EC-15 against the signature roster. This ensures that all absentee voters have been properly processed.

SOURCE: Rule governing 6 GARR § 1302

Any Absentee Ballot Envelopes received by the precinct must be processed early on or during the day when time permits and before polls close. (More Absentee Ballot Envelopes may be delivered by GEC anytime throughout the day.) The procedures are:

1. Members of the Precinct Board shall announce the name of the absentee voter shown on the reverse side of the absentee ballot envelope. This allows for any possible challenge of the absentee voter.

E.g. "Maria Cruz voted absentee."

2. After announcing the Absentee Voter's name, the Precinct Board Members shall find the name of the voter on the Voter Signature Roster. On the line provided for the voter's signature write in, "VOTED ABSENTEE," and strike out the voter information with a red-ink pen.

3. The Precinct Board Members, will then unseal the Absentee Ballot Envelope, remove the inner envelope and insert it into any of the ballot boxes. (The inner envelope shall not be opened) Place the empty Absentee Ballot Envelope in the supply box.

The above procedures shall be followed for each absentee ballot envelope received.

Cause for Rejected Ballots

In the event the affidavit is found to be insufficient, or the signature on the affidavit and the application do not correspond, or the applicant is not a duly qualified elector in such precinct, or the ballot envelope or return envelope is open or has been opened and resealed, or the return envelope contains more than one (1) ballot envelope with ballots enclosed, or that said voter has voted in person, such ballot shall not be accepted or deposited in the ballot box.

SOURCE: Law governing 3 GCA § 10118

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Rejected Ballots

Every ballot not accepted shall be endorsed on the back of the ballot envelope “Rejected because _____ (giving reason therefore).” such rejected ballots shall be enclosed and securely sealed in an envelope on which the precinct board members shall endorse “Defective Ballots,” with a statement of the precinct in which, and the date of the election at which, the ballots were cast. Said envelope shall be signed by the members of the precinct board and returned to the Commission at the Election Return Center after the polls close.

SOURCE: Law governing 3 GCA § 10119

Leave of Absence from Employment to Vote

Every voter shall be entitled, on the day of every election at which he or she is entitled to vote, to absent himself or herself from any service or employment in which he or she is then engaged or employed for two (2) consecutive hours between the time of opening and the time of closing of the polls. The voter shall not be liable to any penalty, nor shall any deduction be made on account of such absence, from his or her usual salary or wages, nor shall the voter be suspended or discharged from his or her service or employment. Any violation of this provision shall be reported to the Guam Department of Labor for enforcement, and may subject an employer to pay a fine. A voter who unilaterally absents himself or herself from employment for the purpose of voting shall provide to his or her employer evidence from GEC that he or she had voted during the hours of his or her absence.

SOURCE: Law governing 3 GCA § 9125

Written Evidence

Written evidence shall be provided to each voter upon request as proof that he or she had voted during the hours of his or her absence from employment. Form EC-27 shall be provided to voters and shall indicate:

- Time of Voting
- Polling location
- Precinct Number

SOURCE: Best Practice since August 2014

■ **Assistance to Voter**

- a) A voter may request assistance in voting to the precinct board, and assistance shall be granted thereby only if a voter is blind, physically disabled, or unable to read or write.
- b) If a voter is granted assistance, the voter shall be accompanied into the voting booth by one (1) precinct official and another person designated by the voter. If a voter with a physical disability finds it unduly burdensome to enter the polling place, the ballot may be completed within one hundred (100) feet of the polling place. A precinct official shall read the ballot to the voter who shall indicate his or her choices. Such choices shall be properly marked by the attending precinct official while under the observation of the other person designated by the voter. Any registered voter who enters the public grounds containing the polling place, but for some reason is unable

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to enter the polling place itself, and who is capable of reading and marking the ballot without assistance, shall be given the opportunity to vote.

- c) Any member of a precinct board rendering assistance to a voter is hereby prohibited from revealing any of the votes cast by such voter.

SOURCE: Law governing 3 GCA § 9136

Best Practices for Assisting Persons with Disabilities

- Federal and Guam law permits voters with disabilities to be accompanied and to receive assistance by another person in the voting booth.
- Remember that all voters deserve courteous attention in exercising their right as citizens to vote.
- Be considerate of the extra time it might take for a person with a disability or an elderly person to get things done.
- Give unhurried attention to a person who has difficulty speaking.
- Speak directly to the person who has a disability rather than just to a companion who may be accompanying him or her.
- Speak calmly, slowly, and directly to a person who is hard of hearing. Your facial expressions, gestures, and body movements help in understanding. Don't shout or speak in the person's ear. If full understanding is doubtful, try writing a note to the person.
- Pre-printed signs or a notepad should be available to assist communications with deaf or hard-of-hearing electors.
- Before pushing someone in a wheelchair, ask if you may do so and how you should proceed.
- Greet a person who is visually impaired by letting the person know who and where you are.
- Provide a guiding device such as a ruler or a signature guide for signing forms.
- When offering walking assistance, allow the person to take your arm and tell him or her if you are approaching steps or inclines or are turning right or left.
- Animals that assist people with disabilities must be admitted into all buildings. Such animals are highly trained and need no special care other than that provided by the owner.

▪ **Accessible Voting**

Accessible voting is permitted only for those individuals who are not physically able to enter to vote within the designated polling area. Two Clerks are required to exit the polling area to service the Accessible voter. Procedures for Accessible voting are:

1. If an elector wishes to vote Accessible, the Precinct Clerk shall request for the identification card of the Accessible voter, and verify with the voter roster if the elector is a registered voter.
 - Once the Precinct Clerk verifies the voter's name in the voter roster, the Precinct Clerk shall announce to the precinct the name of the voter requesting to vote Accessible.

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i.e. "Juan Cruz is voting Accessible"

2. If there are no challenges, the precinct leader, accompanied by one precinct clerk, shall proceed to the designated Accessible voting area and verify that the identification provided is that of the Accessible voter.
3. The precinct leader shall have the Accessible voter sign on the Accessible/Provisional Signature Roster sheet (Form EC-28).
4. The precinct leader shall administer the voter instructions to the Accessible voter and allow the voter to vote in secret.
5. When the voter has completed his or her ballot(s), the voter shall place the ballot a security sleeve and return it to the precinct leader.
6. The precinct leader shall return to the precinct with the voters ballot inside the security sleeve and announce

i.e. "I have Juan Cruz's ballot(s)"

7. The precinct leader shall then proceed to deposit the Accessible voter's ballot(s) into the ballot box, in such a way that upholds the secrecy of the ballot. such a manner that he or she cannot see

NOTE: Poll watchers are permitted to observe the Accessible voting process.

■ Conduct of Media

The following rules of conduct shall be adhered to by all media personnel at all polling places:

1. Video or still cameras may not be used to record how any voter has voted.
2. Contact with electors in the voting areas should be limited. This includes interacting with voters who are waiting in line to check-in and/or cast their ballots.
3. Interviews should be held outside of the voting area to ensure doors and entrances are not blocked and the voting process is not disrupted. Election officials should make sure that media is briefed about acceptable conduct. Members of the media are strongly encouraged to conduct the majority of their activities outside of the room where the election is being conducted. It is the responsibility of the election officials to deal directly with any media person who is harassing voters.

■ Photography/Videography

Use of still video cameras in the polling area during voting hours is prohibited. This prohibition does not apply to members of the media or polling place accessibility auditors.

■ Rules for Poll Watchers

A 'Poll Watcher' representing each of the recognized political parties on Guam is allowed to be present twelve (12) feet and within hearing distance of the Clerks in each precinct. The five (5) Precinct Officials are responsible for ensuring the policies regarding Poll Watchers are strictly enforced:

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1. Upon arrival at the polling place, the Precinct Leader will determine where Poll Watchers will be situated but at no time during Election Day can they be located or seated within the barricade or defined voting areas. In polling locations where ample space is not available, the Precinct Leader may assign Poll Watchers to be positioned outside but near an entrance and within hearing distance of the Precinct Clerks as they announce a voter's name. **Precinct Clerks must clearly and loudly state a voter's name.**
2. Poll Watchers are not allowed to enter any voting booth at any time. They are also not allowed throughout Election Day to approach the designated area where ballots are kept and where ballot boxes are positioned. Poll Watchers shall maintain a distance of twelve (12) feet between themselves and the voting area, voting booths, ballots and ballot boxes.
3. Poll Watchers are not allowed to interfere at any time with the duties of Precinct Officials and shall be subject to removal by the Precinct Leader or the GEC. Assistance in removing a Poll Watcher may be obtained from the attending Guam Police Officer assigned to the precinct after consultation with the Guam Election Commission.
4. Poll watchers are prohibited from accessing the Official Voter Signature Roster and all other official voter documents.
5. Poll Watchers shall not solicit a vote, ask to see identification documents of voters, speak with a voter regarding the marking of his/her ballot, or participate in any activity related to campaigning. Any infraction herein should be immediately reported by the Precinct Leader to the GEC or the assigned Guam Police Officer.
6. Poll Watchers are prohibited from campaigning verbally. They are also not allowed to carry or wear any campaign-related articles such as emblems, t-shirts, hats, pens, or any other campaign paraphernalia signifying or identifying a political affiliation with a particular party or candidate(s).

SOURCE: Board Policy 8/5/1986

■ Provisional Voting

Provisional ballot is a ballot issued at the polling place on Election Day for any reason authorized by the Help America Vote Act, and other applicable federal or Guam laws granted to a person who otherwise would be denied an opportunity to vote on a regular ballot.

SOURCE: Law governing 3 GCA § 14101

Qualifications

A person who would otherwise be denied an opportunity to vote a regular ballot may vote a provisional ballot for any reason authorized by the Help America Vote Act, and other applicable federal and Guam laws, including, but not limited to, the following:

1. The person's name does not appear in the precinct signature roster which lists all registered voters within the polling area;
2. There is an indication in the precinct signature roster that the person has requested an absentee ballot, but wishes to vote at the polling place;

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3. The person is voting during polling hours that have been extended by court order; or
4. Any other reason outlined in statute.

Unless otherwise prohibited under the election code, any voter who has been challenged and not resolved may be issued a provisional ballot.

SOURCE: Law governing 3 GCA § 14103

Before Issuing Provisional Ballots

- a) Before issuing a provisional ballot the precinct board must make every effort to determine a voter's registration status and correct polling location by:

1. Reviewing the list of all registered voters in the precinct;
2. Reviewing the list of all registered voters in the polling area; and
3. Contacting the Commission at its headquarters to make the final determination of voter registration status and polling location; in the event attempts to contact Election headquarters by precinct officials are unsuccessful, the Precinct Leader must document the times, the names of the precinct officials who made the attempt and the name of the provisional voter in the precinct log. Prior to executing the provisional ballot.

- b) If the voter is registered in another polling location and it is determined by both the precinct official and the voter that the voter will not reach the correct polling location in time to cast a regular ballot before polls close, the precinct official shall offer the voter a provisional ballot.

- c) To assist the precinct boards in determining a voter's registration status and correct polling location, the Commission shall provide each precinct with a:

1. List of all registered voters in the precinct;
2. List of all registered voters in the polling area;
3. Directions to all polling locations; and
4. Commission contact information so the provisional voter can ascertain the status of his or her provisional ballot

- d) Precinct board members shall inform the Commission at its headquarters of all provisional ballots issued before the close of the polls. All provisional ballots issued must be documented in detail in the precinct log which will be submitted to Election Commission staff at the tabulation center.

SOURCE: Rule governing 6 GARR § 1402

Refusal

Only when such a person refuses to proceed to the correct polling location, or, if in the shared judgment of the precinct official and the potential voter, the person will not reach the correct

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polling location in time to cast a regular ballot before polls close, shall the precinct official offer the person a provisional ballot.

SOURCE: Law governing 3 GCA § 14104

Processing Provisional Ballots.

a) If a potential voter wishes to vote but does not appear in the register, and precinct board members have exhausted all efforts to determine the voters registration status and polling location as prescribed in 6 GAR § 1402 (a), the following procedures must be strictly followed:

1. The precinct leader shall issue the voter a Provisional Ballot Affidavit Envelope to complete. The voter must fill the in required information and sign the affirmation in the presence of the precinct leader.
2. The precinct leader will write on the Provisional Ballot Affidavit Envelope the reason(s) for issuing that provisional ballot.
3. The precinct leader shall then provide the voter a ballot with the words "Official Provisional Ballot" printed at the top, along with a Ballot Envelope. The provisional voter is required to sign the receipt of the provisional ballot(s) on the back of the signature roster. When signing receipt for a provisional ballot, the provisional voter must indicate his or her name, date of birth, mailing address, residential address.
4. After receiving his or her voting instructions the provisional voter may proceed to the voting booth to vote in secret
5. The precinct official shall instruct the provisional voter to place his or her completed provisional ballot in the Ballot Envelope provided, seal it, and then insert it in the Provisional Ballot Affidavit Envelope and seal it. Precinct officials are prohibited from opening the Provisional Ballot Affidavit Envelope. A precinct official must notify the Commission headquarters after a provisional ballot is completed. The precinct official will put the Provisional Ballot Affidavit Envelope in the supply box until further instructions are received from the Commission.
6. The precinct official shall provide the provisional voter Commission contact information in the event he or she wishes to ascertain the status of his or her provisional ballot. Provisional ballots are not to be cast into the ballot boxes, unless upon the direction from the Commission headquarters as confirmed by two precinct officials.
7. At tabulation center precinct officials shall surrender all provisional ballot affidavits along with Provisional Ballot Transfer Receipt (Form EC-15P) to Election Commission staff at the tabulation center.

b) The disposition of a voter's provisional ballot must be completed and signed by the Executive Director to the Commission within ten (10) days after any election.

SOURCE: Rule governing 6 GARR § 1403

Posting Instructions

Provisional ballot guidelines will be posted at each polling site and at the Guam Election Commission office. These guidelines will include an explanation of what a voter should do before casting a provisional ballot in order to increase the chances of the provisional vote being counted. An explanation sheet will be provided to provisional voters that defines their status, the criteria used to qualify their ballot, how the provisional voter will be contacted regarding the final disposition of the ballot, and the fact that a provisional voter may appeal the disqualification of their ballot.

SOURCE: Law governing P. L. 31-061

Security of Provisional Ballots

Completeness of Provisional Ballot Envelope. The precinct official shall ensure that all the required information is completed on the outer envelope, signed by the provisional voter in the appropriate space, and then place the envelope in a secure container.

The Secure container shall be displayed, and shall not be removed from the polling place or from the presence of any voters until the polls are closed.

SOURCE: Law governing 3 GCA § 14104 (j)

▪ **Challenges**

Grounds for Challenge

A person present to vote may be orally challenged by any voter of the same precinct upon any or all of the following grounds:

- a) that he or she is not the person whose name appears on the register;
- b) that he or she is not a resident of Guam;
- c) that he or she is not a citizen of the United States;
- d) that he or she is not a resident of the precinct at which he or she is voting;
- e) that he or she has voted that day;
- f) that he or she voted in another precinct; and
- g) that he or she voted in another U.S. jurisdiction.

SOURCE: Law governing 3 GCA § 9118

Examination of Person Challenged.

The precinct board shall immediately examine on oath the challenged individual and his or her witnesses, if any, together with the voter who called the challenge and his or her witnesses, if any. The precinct board may give the voter challenged and the voter who offered the challenge time to present witnesses wherever possible, but in no event shall such time be granted so as to prevent the precinct board from rendering a decision prior to the time for closing the polls.

The voter or the challenger may appeal the decision of the precinct board to the Commission. The Commission shall, as soon as possible, hear the appeal and shall examine the oaths of the

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voter and the challenger and hear the witnesses, if any. The Commission shall make its decision prior to the time for the closing of the polls. Either the voter or the challenger may appeal the decision of the Commission to the Superior Court.

SOURCE: Law governing 3 GCA § 9119

Processing Voter Challenges

The Precinct Leader shall administer the oath to the challenger, the voter being challenged and any witnesses present from both sides.

Inform the party(s) to raise his or her right hand:

- Ask, “Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?”
- The response(s) must be “I do,” or “Yes.”
- The Precinct Leader shall have the challenger complete the Entry of Challenge Form EC-14. Similarly, the Precinct Leader shall have the voter being challenged complete the Challenge Rebuttal Form EC-14A.
- The Precinct Leader and two (2) Precinct Clerks must address the challenge immediately, and resolve the matter on-site as soon as possible. Be reminded that the challenged voter must be given the opportunity to present any witnesses or evidence in support of his/her qualifications and/or eligibility to vote.
- The three precinct officials must rule promptly in order to allow the challenged voter to cast his or her ballot if the decision is in his or her favor.
- If, on the other hand, the ruling favors the challenger, the challenged voter shall be allowed to vote Provisional Partisan and Provisional Non-Partisan ballots.
- The challenger or the challenged voter may appeal any decision by the precinct board to the Guam Election Commission using the GEC Administrative Complaint Form which can be found in the precinct binder. The Precinct Leader shall immediately notify GEC about any impending appeal.

Refusal to be Sworn or to Answer

If the voter challenged refuses to take the oath tendered, or refuses to be sworn and to answer questions regarding the matter of the challenge, he or she shall not be allowed to vote.

SOURCE: Law governing 3 GCA § 9120

Voter Challenge Procedures

The precinct board shall address any challenge by a voter for any reason cited in 3 GCA § 9118. The challenge must be duly and fully documented by the precinct board on the Entry of Challenge Form (EC- 14) which shall be surrendered to the Commission staff at the tabulation center. The appeal of the voter or the challenger must also be duly and fully

ELECTION DAY

documented by the precinct board and reported on the Challenge Rebuttal Form (EC-14A). The precinct board member(s) shall inform the Commission at its headquarters of any challenges recorded before the close of the polls.

Members of the precinct board shall inform the voter and the challenger that he or she may appeal the decision of the precinct board to the GEC board of Commissioners and that the board's decision may then be appealed to the Superior Court of Guam.

SOURCE: Rule governing 6 GARR § 1211

Absentee Voter Challenges

The provisions of 6 GARR § 1211 shall apply in the case of a challenge of a voter's absentee ballot

SOURCE: Rule governing 6 GARR § 1303

▪ **Administrative Complaints**

Who Can File

Any person who believes that there has been a violation, there is a violation, or a violation is about to occur of any provision of Title III may file an administrative complaint.

SOURCE: Rule governing 6 GARR § 1503

Where and When to File

All administrative complaints shall be sent to the Guam Election Commission (GEC), or delivered in person to the GEC's main office

A complaint shall be filed within sixty (60) days after the occurrence of the actions or events that form the basis for the complaint, or within ninety (90) days after the Complainant becomes aware of the actions or events, whichever is later.

SOURCE: Rule governing 6 GARR § 1505

Complaints Filed at the Precincts

Any person wishing to make an administrative complaint on Election Day may do so at the precincts.

Processing Complaints Filed at the Precincts

The precinct member shall offer any person wishing to make a complaint an administrative complaint form (Form EC-49) and notify the GEC headquarters that a complaint is being made. The precinct member shall then verify the person's identity and, in the presence of the precinct board member, the complainant shall sign the affirmation portion of Form EC-49. The precinct board member shall then notarize the EC-49 form and secure it in the supply box. All administrative complaints shall be submitted to GEC staff at the Election Return Center.

Record of Complaint

ELECTION DAY

The Guam Election Commission shall compile and maintain an official record in connection with each complaint filed. The official record shall contain:

1. A copy of the complaint, including any amendments;
2. A copy of any written submission by the Complainant;
3. A copy of any written response by any Respondent or other interested person;
4. A written report of any investigation conducted by agents of the Guam Election Commission or of any local election official, who may not be directly involved in the actions or events complained of;
5. Copies of all notices and correspondence to or from the Guam Election Commission in connection with the complaint;
6. Originals or copies of any tangible evidence produced at any hearing conducted at the request of the Complainant;
7. The original tape recording produced at any oral hearing conducted, and a copy of any transcript produced; and
8. A copy of any final determination.

SOURCE: Rule governing 6 GARR § 1506(c)

Election Campaign and Campaign Offenses

It is the duty of every voting citizen and precinct official to report any offense as listed in Chapter 8 of Title 3 GCA. It is the responsibility of precinct officials to document all complaints and ensure the complainant is given ample opportunity to complete the Administrative Complaint (EC-49) Form. The precinct official shall notify the Commission immediately following each filing of an Administrative Complaint. The Commission will take appropriate action by investigating and reporting the infraction to the Attorney General.

SOURCE: Rule governing 6 GARR § 1217

The Administrative Complaint procedures shall be in accordance with Article V of Title 6 GARR.

■ **Closing the Polls**

ALL PRECINCT OFFICIALS MUST BE PRESENT FOR THE CLOSING OF THE POLLS. The following procedures are to be carried out in the closing of the polls:

- Promptly at 8:00 p.m., the Precinct Leader will declare clearly and loudly, “The polls are closed.” Voters who may be waiting in line at 8:00 p.m., however, must be allowed to vote.
- The Precinct Leader shall assign a Precinct Clerk to stand at the end of the line and inform anyone arriving later that polls are closed or stop anyone who may attempt to breach the line after 8:00 p.m.
- Do not shut door(s) or window(s) even though polls have closed. a barricade shall be placed to prevent unauthorized individuals from entering.

ELECTION DAY

- Poll Watchers are not allowed within the precinct area after the polls close; they must remain on the opposite side of the barricade.

SOURCE: Law governing 3 GCA §§ 9143 & 9144

■ After the Polls Close

All Precinct Officials within each precinct shall assemble at one table. The Precinct Leader shall ensure that all black pens are collected and put away securely and away from the table except for a red pen(s) or marker(s) provided by the Guam Election Commission. All other writing instruments on the table are prohibited.

Accounting for Ballots.

Every precinct board shall account for all ballots delivered to that precinct by returning all unused ballots which, when added to the number of ballots cast and the number of spoiled ballots returned, shall equal the total number of ballots assigned and delivered to that precinct. The Commission, upon receiving all the ballots, shall require such an accounting prior to tabulating the returns of the precinct.

SOURCE: Law governing 3 GCA § 9140

The following are procedures for securing the ballots which must be carefully followed before Precinct Officials, ballot boxes, and all documents/supplies are transported from the polling place.

▫ **PROCEDURE FOR SPOILED BALLOTS**

“Spoiled Ballot” means an official ballot improperly or erroneously marked and returned by a voter who, in turn, requests for another ballot.

The precinct board members shall record the number of spoiled partisan and non-partisan ballots inventory Form EC-13. The number Spoiled Provisional ballots shall be recorded on Form EC-13P

STEP 1. Remove and count all spoiled ballots contained in the SPOILED BALLOT ENVELOPE. These ballots should have already been defaced. If not, deface each spoiled ballot by writing a large “X” in ink. Record the number of spoiled ballots on Part II Line D of Form EC-13.

STEP 2. Place any spoiled ballots into the same SPOILED BALLOT ENVELOPE. Write the total number on the front of the envelope and seal with tape. Each Precinct Official must sign across the taped portion. Place the SPOILED BALLOT ENVELOPE in the supply box.

REPEAT steps one and two for any Non Partisan and Provisional spoiled ballots.

▫ **PROCEDURE FOR UNUSED BALLOTS**

“Unused ballot” means an official ballot not used or is left-over on Election Day.

ELECTION DAY

The precinct board members shall record the number of Unused partisan and non-partisan in the ballots inventory Form EC-13. The number Unused Provisional ballots shall be recorded on Form EC-13P.

STEP 1: Deface each unused ballot by writing a large “X” in ink and count in stacks of 25 (this may make it easier in the event a second count is necessary).

STEP 2: Record the number of unused ballots on Line E of Part II, Form EC-13. Then add Lines (D) and (E) and enter the ‘Total Part II.’

STEP 3: Place defaced ballots in the envelope marked “UNUSED BALLOTS” If more than one (1) envelope is used, number each “1 of 2,” and “2 of 2,” for example. Record the grand total number of unused ballots on the face of Envelope No. 1. Seal all envelopes with tape and each Precinct official shall sign across the taped portion. Tape unused ballot envelopes together if there is more than one. Place the UNUSED BALLOTS envelope(s) in the supply box.

Delivery of Ballots to Election Return Center.

The locked ballot box, accompanied by the roster, all documents, all endorsements, and all ballots, including spoiled ballots, unused and defaced ballots, and rejected defective ballots shall be brought to the Election Return Center for tabulation. A representative of each political party, as authorized by the Commission, may accompany the locked ballot boxes and all other documents, supplies and materials from the precinct to the Election Return Center.

SOURCE: Law governing 3 GCA § 11107

Preparation for Departure to Election Return Center

- Collect all supplies and/or any potentially important notes you may have written. Do not destroy or discard anything.
- Be sure that all ‘EC’ forms are in their proper order for processing at Election Return Center. (GEC requests that precinct officials ensure the room is in order before departure.)
- Transport of all Precinct Officials, ballot boxes and all other election documents and supplies to Election Return Center shall be in Government of Guam school buses only. The use of privately owned vehicles to transport ballot boxes, supplies and all Precinct Officials to the Election Return Center is strictly prohibited. Failure to conform will result in violation of Guam’s election law and may subject you to criminal charges.
- The bus will not depart for Election Return Center until all other precinct officials within the same polling site have completed their tasks and are ready to leave. Only precinct officials and the assigned police officer are allowed to be transported on the bus. Precinct Officials may arrange to depart Election Return Center using private

ELECTION DAY

1 transportation. The bus will return to the polling site in the event officials require
2 transportation.

- 3 □ The Precinct Leader must inform the assigned Guam Police Officer when all tasks are
4 completed and secured and ready for transport to the Election Return Center. The five
5 (5) Precinct Officials must accompany the ballot box at all times and shall be escorted
6 en route to Election Return Center by at least one (1) Guam Police Officer.

- 7 □ Upon arrival at the Election Return Center, the Precinct Leader must ensure that all
8 Precinct Officials within his/her precinct remain together as processing procedures
9 will not begin until all are present.

10 *Election Return Center Processing Procedures*

11 Each precinct has to clear five (5) processing stations. The processing procedures shall be in
12 accordance with 3 GCA Chapter 11.

13 **STATION 1 :PRECINCT OFFICIAL CLEARANCE**

14 A GEC Clearance Officer will greet precinct members at the Election Return
15 Center and will note order of arrival of each precinct. The Precinct Leader will
16 be issued a "Precinct Official Clearance Sheet Form EC-42," indicating the time
17 of arrival and names of those precinct officials confirmed to serve Election Day.

18 The Precinct Leader shall verify the names of those Precinct Officials present
19 that day. All Precinct Officials must sign the EC-42 form.

20 The Precinct Leader will also submit Forms EC-11 (oath of office) and EC-18
21 (record of poll status) at this station.

- 22 ▪ When completed, the GEC Clearance Officer will sign the EC-42.

24 **STATION 2 :UNLOCKING OF BALLOT BOXES**

25 By law, only GEC officials are permitted to unlock ballot boxes. The GEC official
26 will sign Form EC-42 at this station and will direct Precinct Officials to a ballot
27 reconciliation table.

28 **STATION 3 :BALLOT RECONCILIATION**

29 The following procedures must be adhered to in reconciling ballots:

30 **PROCEDURE A :CAST BALLOTS**

31 **STEP 1** Open the ballot box and remove all ballots including any
32 absentee ballot envelopes.

33 **STEP 2** Review the documents to ensure they are all OFFICIAL
34 ballots

35 **STEP 3** Unseal and remove any ballot(s) contained in all
36 absentee ballot envelopes. Place ballots removed from

ELECTION DAY

absentee ballot envelopes with official ballots cast on Election Day.

STEP 4 Begin counting the number of OFFICIAL ballots. GEC encourages precinct officials to count twice (in stacks of twenty-five (25) may be easier) for accuracy. Record the number on Total Part III of Form EC-13.

STEP 5 Place Official ballots in the envelope(s) labeled CAST BALLOTS and record the total number contained on the face of each envelope. Do not seal the envelope(s) after all counts are verified.

STEP 6 After validation of all the counts, precinct officials can place unsealed cast ballot envelopes back into their appropriate ballot boxes.

PROCEDURE B :ORIGINAL VOTER SIGNATURE ROSTER

STEP 1 Count the number of signatures of voters who signed the original voter signature roster including those who voted 'Absentee' and 'Accessible. Count each page twice to ensure accuracy and record the total number of each page at the bottom left hand corner of each roster page. GEC recommends that two precinct officials also keep separate tallies of each page.

STEP 2 Add all the numbers shown on the bottom left hand corner of each page and record the grand total of voters on line TOTAL PART IV of the EC-13 forms. Any difference in numbers may require precinct officials to repeat the counting process. The grand total number of voter signatures should correspond with the number of cast ballots as shown in Part I of Form EC-13.

Call the attention of any GEC official if precinct members require assistance with any unresolved discrepancy.

STEP 3 The precinct board shall indicate on the last page of the roster: (1) the number of voters (2) the following wording: "We the undersigned precinct officials hereby certify that _____ (number of voters) appeared before us this ____ day of ____, 20____, and each did cast a ballot as is their right." (3) the seven (7) precinct officials on duty shall place their signatures after the statement.

Ballots Exceeding Number of Signatures on Roster

If it is necessary for ballots to be extracted from the cast ballots and destroyed, an account of this act, including the number of ballots destroyed, and the precinct officials giving authorization, should be

ELECTION DAY

written on the last page of the roster and also on Form EC-13 and submitted to Election Commission staff at tabulation center.

SOURCE: Rule governing 6 GARR § 1602

PROCEDURE C : SURRENDERING PROVISIONAL BALLOTS

The precinct leader after completion of the ballot reconciliation process, shall surrender all marked provisional ballots. The marked provisional ballots shall be recorded in the Provisional Ballot Transfer form EC-15P. The precinct leader shall affirm the number of provisional ballots being transmitted and a GEC official shall sign for receipt.

Once the precinct board has cleared the ballot reconciliation process and has surrendered all marked provisional ballots. The GEC official will clear the precinct board by signing the EC-42 form.

STATION 4: BALLOT BOX, SUPPLY BOX, AND EQUIPMENT INVENTORY RETURN

Please be prepared to surrender the precinct supply box and all other election-related materials to the GEC Clearance Officer at this station. Also surrender all Spoiled and Unused Ballot Envelopes. Proceed to the next and final Station #5 upon clearance.

STATION 5: TRANSFER CUSTODY OF BALLOTS

At this station the Precinct Board shall transfer custody to the GEC all OFFICIAL Cast Ballots. The Precinct Leader signs the Clearance Sheet EC-42 once all ballots are in the custody of GEC. And when all is finally completed, Precinct Officials can proceed to exit the GEC Office as directed by the Clearance Officer. Precinct officials are not allowed in the central tabulation area.

Incomplete or Ambiguous Precinct Forms

Precinct board members are prohibited from leaving the clearance section of the tabulation center until all forms and inventories are completed. In the event a problem arises after precinct officials have departed from the tabulation center, they may be subpoenaed and required to appear before the Commission

SOURCE: Rule governing 6 GARR § 1606

■ Tabulation

Place of Tabulation

The Commission shall maintain within Guam an Election Return Center for the tabulation of votes and publication of returns.

SOURCE: Law governing 3 GCA § 11108

Ballots to be Tabulated

Only Cast Ballots that were received and affirmed from the members of the precinct board and reviewed by GEC officials shall be tabulated on Election night.

Mode of Tabulating

ELECTION DAY

The procedures for the tabulation process shall be in accordance with Title 3 GCA Chapter 11.

Ballot Not Rejected for Technical Error

The Election Commission will provide marked “Sample Ballots” of ways it anticipates voters might mark a ballot. If a voter’s ballot is marked differently and rejected by the tabulator, the tally crew must hand the ballot to the Commission Resolution Committee for final determination and validity. If questions as to the validity arise in regard to a ballot, the Commission Resolution Committee may refer to the file of these samples.

SOURCE: Rule governing 6 GARR § 1604

The following procedures shall be adhered to in the event that damaged ballots cannot be read by (machine) tabulators and/or voter intent is to be determined:

- Any ballots that are to be replicated must be done by a Commissioner from each recognized political party and independent member with Legal Counsel present. Legal Counsel is to maintain a log of replicated ballots. The log shall contain the stock number and number assigned to the replicated ballot. The damaged ballot shall be sealed in an envelope with its corresponding log number written on the outside.
- The replicated ballot will then be given to the assigned (GEC Official) tabulator to be tabulated through the tabulation machine.
- All replicated ballots will be placed in a separate ballot box and secured with a lock.

Write-in Votes.

Persons authorized by the Election Commission to manually count rejected ballots shall count a write-in vote as valid only when the voting oval or other defined space provided adjacent to a write-in candidate's name is marked. Failure to mark the oval or other defined space renders the vote invalid.

SOURCE: Rule governing 6 GARR § 1605

How Votes are Tabulated

The manner in which votes are to be tabulated shall be in accordance with Title 3 GCA Chapter 11

Election Return Center Open until Tabulation Complete.

The Commission shall, on the day of the closing of the polls, keep the Election Return Center open for the tabulation of election results until each and every ballot has been received and tabulated and the results thereof made public.

SOURCE: Law governing 3 GCA § 11123

Unofficial Results Open to Public Inspection.

Immediately upon completion of the tabulation by the Commission of all of the ballots from all of the precincts, the unofficial election results shall be declared and available for public inspection.

Securing Election Return Center

Once it has been determined that each and every ballot has been tabulated, and the unofficial results are made public, the GEC can proceed to secure the Election Return Center. The following items shall be removed from the Election Return Center and secured at the GEC main office:

- Cast Ballots
- Spoiled Ballots
- Unused Ballots
- Unofficial results
- Tabulating Machines
- Printed tabulation results from each tabulation machine
- Precinct supplies and material

▪ **Tabulation of Absentee and Provisional Ballots**

Place for Tabulation

The Commission shall designate and publish the time, place, and location and its intent to tabulate any absentee and provisional ballots ten (10) days after an election.

Notice of Tabulation

The Executive Director shall inform the Chairperson of each political party of the Commission's intent to tabulate the absentee and provisional ballots as prescribed in the Election Code of Guam.

Observation Section

There should be a restricted area for designated political party officials and media outlet members to observe the tabulation process.

Provisional Ballots

Within ten (10) days after any election, the Commission shall count the provisional voter's choices for every race for which the voter was eligible to vote. When a provisional voter casts a provisional ballot in the incorrect precinct, election officials shall count the votes on that ballot in every race for which the voter would be entitled to vote if he or she had been in the correct precinct.

Provisional Ballots as a Remedy for Incomplete or Deficient Registration Applications. Provisional ballots shall serve to remedy incomplete or otherwise deficient voter registration applications. In the event that a voter is denied the right to vote a regular ballot because of an incomplete or otherwise deficient voter registration application, the provisional ballot shall be used to complete said voter's application. The provisional voter shall be deemed registered as of the date of the original application. Within ten (10) days after an election, when the voter's application shall have been satisfactorily completed and deemed valid, the provisional ballot shall be counted.

SOURCE: Law governing 3 GCA § 14105

Absentee Ballots

The sealed returned envelope containing the ballot or set of ballots may be delivered to the Commission at its main office or its postal address at any time prior to the closing of the polls, and within ten (10) days after any election and by 5:00 p.m. on the tenth (10th) day after any election.

SOURCE: Law governing 3 GCA § 10114

Tabulation of Online Absentee Ballots

Unless online absentee ballots can be machine-tabulated, the Guam Election Commission (GEC) shall replicate such ballots received both before an election and within ten (10) days after an election. The replication process shall follow the same procedures outlined in this manual for "Ballots Not Rejected for Technical Error" to ensure accuracy and compliance

POST ELECTION DAY

with election regulations. The GEC at its discretion may to use a ballot marking device to replicate ballots

SOURCE: Law governing 3 GCA § 10114

▪ **Recount**

If the tabulation indicates that a difference in votes is two percent (2%) or less, the Commission shall conduct a recount of the votes. At the end of the recount all ballots shall be returned to the precinct envelopes and resealed with the majority of the Commission writing their names across the seal. The result of the recount shall immediately be made public as a recount.

SOURCE: Law governing 3 GCA § 11128

▪ **Certification of Election**

In every election, except the primary election, the Guam Election Commission shall not certify the election results until the GEC makes a determination on all election complaints or causes for contest brought to the attention of the GEC within fifteen (15) calendar days of the election. Thereafter, as soon as all the votes are counted and the ballots are sealed, the Election Commission shall certify the results of the election. The final certification and the seal on the ballot envelopes shall be signed by a majority of the Commission.

SOURCE: Law governing 3 GCA § 11128

Declaration of Results

Immediately after the certification of all election results, the Commission shall declare elected to each office those persons having the highest number of votes for that office.

SOURCE: Law governing 3 GCA § 11127

▪ **Preparation of Election Certificates**

Immediately after declaring certification of the results of any election, the Commission shall make, or cause to be made, a "Certificate of Election" for every person elected to office. The form of such certificates shall be prescribed in the Election Manual. The Commission shall cause to be placed in the hands of the elected person the original certificate which shall constitute evidence of the person's right to office. The Election Commission shall preserve a copy of such certificate for a period of five (5) years, and then may transfer the copies to the University of Guam Micronesia Area Research Center.

SOURCE: Law governing 3 GCA § 11128

▪ **Publication of Ballot Inventory**

The Commission shall publish the inventory of ballots ordered, printed, utilized, retained, and destroyed as prescribed in 3 GCA § 7117.

▪ **Certified Election Results Posted**

As soon as the Election Commission certifies the results of the election, it shall cause to be posted outside of the Election Return Center or the Commission's office a certificate showing

POST ELECTION DAY

1 the results of the votes cast. The final certificates shall be signed by a majority of members
2 of the Election Commission.

3 SOURCE: Law governing 3 GCA § 11119

4 ■ **Preservation of Ballots**

5 The Commission shall be responsible for the preservation of all the ballots cast and all rosters
6 and certificates delivered to it by the precinct boards for a period of five (5) years after the
7 date of the election. The Commission shall be required to produce such ballots upon the order
8 of a court of competent jurisdiction, and shall obtain a receipt for any release from its custody.

9 SOURCE: Law governing 3 GCA § 11134

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 190-38 (COR)

As amended by the Committee on Economic Investment, Military Buildup,
Regional Relations, Technology, Regulatory Affairs, Justice, Elections and Retirement

Introduced by: Telo T. Taitague

**AN ACT TO ADD A NEW CHAPTER 5 TO TITLE 6 OF
THE GUAM ADMINISTRATIVE RULES AND
REGULATIONS, RELATIVE TO ADOPTING THE
UPDATED GUAM ELECTION MANUAL, PURSUANT
TO CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Election Commission (GEC), pursuant to its authority under 3 GCA § 2104, proposed updates to the Guam Election Manual. The proposed updates were reviewed and approved by the GEC Board of Commissioners during its board meeting held on April 14, 2025. In compliance with the procedural requirements of the Administrative Adjudication Law, the approved updates were later submitted to the Office of *I Magan'hågan Guåhan* and the Office of the Attorney General on June 27, 2025.

Following their review, both the Office of *I Magan'hågan Guåhan* and the Office of the Attorney General approved the proposed updates. The Attorney General determined that the revisions were constitutional, consistent with statutory authority, and in substantial compliance with the requirements of 5 GCA Chapter 9. The Attorney General found that the agency record satisfied most procedural elements but lacked documentation of website posting and advance public availability of the cost assessment. Despite these technical gaps, the Attorney General concluded that the Guam Election Commission had substantially complied

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1 with the law and recommended either conducting an additional public hearing or
2 proceeding with formal adoption.

3 On September 2, 2025 the approved updates were transmitted to the Office of
4 the Speaker of *I Liheslaturan Guåhan*. Upon receipt, the proposed updates were
5 referred to the Committee on *Economic Investment, Military Buildup, Regional*
6 *Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement* on
7 September 11, 2025. In accordance with 5 GCA § 9303(b), the Committee
8 introduced the measure on September 12, 2025 and subsequently scheduled a
9 public hearing to receive testimony on the proposed updates to the Guam Election
10 Manual.

11 The proposed Guam Election Manual, attached hereto as Exhibit A, provides
12 comprehensive administrative guidance for the conduct of elections in Guam. It
13 outlines updated procedures for candidate filings, campaign finance reporting,
14 enforcement protocols, complaint resolution, and public transparency measures. The
15 revisions aim to enhance clarity, strengthen compliance, and align the Commission's
16 operations with statutory mandates under Title 3 of the Guam Code Annotated. Key
17 improvements include streamlined filing instructions, clarified enforcement
18 mechanisms, improved definitions, and adjustments to reporting timelines and
19 thresholds. The manual also incorporates provisions to support digital submission
20 processes and public access to election-related information. These updates are
21 intended to improve consistency, accountability, and accessibility for candidates,
22 political committees, and the public.

23 **Section 2. Adoption.** Therefore, it is the intent of *I Liheslaturan Guåhan* to
24 formally adopt the revised Guam Election Manual, attached hereto as Exhibit A
25 entitled "Guam Election Manual."

26 **Section 3. Effective Date.** This Act shall be effective upon enactment.

COMMITTEE MARKUP VERSION



EXHIBIT A



GUAM ELECTION COMMISSION

Kumision Ileksion Guåhan

Your vote is your voice.

ELECTION MANUAL

*Administrative procedures, rules, regulations, and forms to be used in the
Conduct of Elections pursuant to 3 GCA § 2104*

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ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Commissioners

The Commissioners

The Commission shall consist of seven (7) members, all of whom shall be eligible voters on the date of their appointment. I Maga'lāhen Guåhan (the Governor) shall appoint six (6) members from recommendations made by the recognized political parties of Guam. Each of the recognized political parties, via duly passed resolution, shall recommend an equal number of names to I Maga'lāhen Guåhan and the six (6) members appointed by I Maga'lāhen Guåhan shall be appointed so that the recognized political parties are equally represented. If at any time there are more than three (3) recognized political parties, the six (6) members appointed by I Maga'lāhen Guåhan shall be appointed so that no more than two (2) of such members shall be members of the same recognized political party.

One (1) member shall be selected and appointed by the six (6) members appointed by I Maga'lāhen Guåhan. The appointment of the seventh (7th) member of the Commission shall be ratified by at least four (4) members.

Each member shall serve for a term of two (2) years, or until his or her successor is duly qualified and appointed. If a vacancy should occur on the Commission, said vacancy shall be filled for the remainder of the term only, and by the method originally prescribed for its appointment. No member may be an elected official of the government nor a candidate or nominee for an elected office within the government.

SOURCE: Law governing 3 GCA § 2101

Duties and Responsibilities

The Commission shall have direct and immediate supervision over the municipal and district officials designated in accordance with the laws of Guam to perform duties relative to the conduct of elections. The Commission may suspend from the performance of said duties any of said officials who fail to comply with its instructions, orders, decisions or rulings, and appoint substitutes; and the Commission shall remove any such officials who have been found guilty of nonfeasance or misfeasance in connection with the performance of their duties relative to the conduct of elections.

The Commission shall designate such subordinate officers and employees as may be necessary for the efficient performance of its functions and duties, each of whom, if not already employed by the government, shall receive a salary to be determined in accordance with the laws of Guam.

As early as is reasonably possible, but not later than June 30 in each odd-numbered year, the Commission shall prepare and deliver an annual report to I Maga'lāhen Guåhan, the Speaker of I Liheslaturan Guåhan, and the chairperson of the legislative committee with jurisdiction over matters of elections, showing, with respect to the preceding fiscal year:

1. Recommendations of the Commission as to amendments or supplementation of laws affecting elections or the office of the Commission; and
2. Statistical information regarding the elections conducted during the fiscal year.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

The Commission shall promulgate rules, pursuant to 5 GCA Chapter 9, necessary and convenient to carry out the provisions of this Title. The Commission shall cause to be prepared an election manual and administrative procedures to be used in the conduct of elections. Said administrative procedures shall include the handling of absentee ballots, voter registration procedures, methods for gathering election results from precinct levels to the central tabulation area, and procedures to be followed at the central tabulation area.

SOURCE: Law governing 3 GCA § 2103

▪ Executive Director

The Commission shall appoint an Executive Director who shall administer the election laws of Guam and shall perform and discharge all of the powers, duties, purposes, functions and jurisdiction hereunder, or which hereafter by law may be vested in the Commission in accordance with the rules of the Commission, and subject to the right of appeal to the Commission.

The Executive Director shall be the ex-officio secretary for the Commission, but shall not be a voting member thereof. As such secretary, the Executive Director shall keep the minutes of the Commission's proceedings, preserve all reports made to it, keep a record of all examinations held under its direction, and perform such other duties as the Commission shall prescribe.

SOURCE: Law governing 3 GCA § 2102

▪ Guam Election Commission Staff

Subordinate officers of the Commission are designated by the Commission necessary for the effective and efficient performance of its functions and duties including, but not limited to: voter registration, voter outreach, precinct official activities, tabulation activities, and the enforcement of Title 3 GCA, the Election Code of Guam.

SOURCE: Law governing 3 GCA § 2103(b)

Note: All Guam Election Commission employees shall read and sign the Confidentiality Agreement (Form EC) as a condition of employment.

▪ Precinct Board

Qualifications

Each member of a precinct board shall be a registered voter of the district in which they are appointed and shall serve only in the precinct for which they are appointed; however, the Commission may appoint any individual to serve regardless of his or her voting precinct, as the Commission deems necessary.

SOURCE: Law governing 3 GCA § 4105

Any person who cannot read or write the English language shall be deemed ineligible. Any nominee for an elective office, or a parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law of a candidate is automatically disqualified as a precinct official. In any event, the Commission shall appoint any registered voter to take the place of a person being disqualified.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

SOURCE: Rule governing 6 GARR § 1102

Appointment

The GEC extends the opportunity to and invites the recognized political parties on Guam to submit an equal number of nominees to serve as Precinct Officials. In the event that the recognized political parties do not submit a sufficient number of nominees required, the Commission extends similar opportunities and invites participation from among other registered voters within the general public.

Guam election laws require Precinct Officials to abide by the rules, regulations, and all procedures promulgated by the Commission.

SOURCE: Rule governing 6 GARR §1101

Oath

No person shall act as a member of a precinct board until he or she has taken the oath as prescribed in this Election Manual. The following oath must be taken by all members of the precinct board in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a voter of the district of _____; that I can read and write the English language; that I am not holding, nor am I a nominee for, an elective office; that I am not an **Immediate relative of** a candidate in the district in which I am being appointed; and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge the duties of the office of _____ on the Precinct Board for Precinct # in the District of _____ to the best of my ability.

Deleted: parent, grandparent, spouse, sibling, child, grandchild, or in-law of

Precinct Officials are administered the Oath of Office and, from then on, any voter who has been appointed as a member of a precinct board, and having taken the oath of office, fails to act as such without lawful or sufficient reason approved by the Commission is guilty of a misdemeanor.

SOURCE: Law governing 3 GCA § 4106 and 6 GARR § 1104

Organizational Structure and Responsibilities

The Precinct Board consists of one (1) Leader and **up to six (6)** Clerks. The Precinct Leader has supervisory authority among the Precinct Clerks to ensure that the election process is carried out in an organized and efficient manner. To ensure the smoothest conduct possible throughout Election Day, the GEC expects, and the voters of Guam deserve, courteous and proper decorum at all times. The Commission encourages Precinct Officials to work cooperatively as a team throughout Election Day. If requested, the Leader may assist voters to enter the voting booth, direct them to deposit their ballots in the assigned ballot box(es), and exit promptly when finished. The Precinct Leader should monitor the voting area at all times to ensure that voters do not loiter. Any questions or concerns that may arise should be communicated directly to the Commission.

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ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Clerks are to assist the Precinct Leader. Clerks shall verify and 'line out' a voter's name on the Original Voter Signature Roster and ensure that voters sign the roster in the correct section. They shall announce the voter's name, issue ballots to voters, and give voting instructions. They also direct or assist voters into voting booths, if necessary. Two clerks, along with the Leader, will decide any outcome of any challenge issued at the polls. In the absence of the Leader, a Clerk or assigned substitute, shall assume the position of Precinct Leader.

Precinct Officials are responsible for carrying out the election process in the polling places. As such, the procedures prescribed in their handbook must be followed in order to successfully abide by Guam's election laws.

Training

Under the Election Code of Guam, members of the Precinct board must attend training conducted by the GEC. In order to comply with the training requirements, members of the Precinct Board must undergo four (4) hours of training and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- Opening the Polls
- Voting Procedures
- Assisting Voters with Disabilities
- Processing Absentee Ballots
- Accessible Voting
- Processing Provisional Voters
- Processing Voter Challenges
- Processing Administrative Complaints
- Closing the Polls

SOURCE: Law governing 3 GCA § 4105

The duties and requirements for the members of the Precinct Board on Election Day shall be detailed in the Precinct Official Manual. The manual shall be available at the GEC main office, and to the members of the Precinct board on Election Day.

Dismissal

A Precinct Official is subject to dismissal if he/she: (1) refuses to follow directions(2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as prescribed in the Election Manual, (5) commits any violations of the Election Code of Guam.

SOURCE: Law governing 3 GCA § 4109

▪ **Registrars (District Registrars and Volunteer Registrars)**

Qualifications

To qualify as a Voter Registrar an individual must:

- 1) Be a registered voter of Guam;
- 2) Not be holding an elective office;

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

- 3) Not be a candidate for office;
- 4) Not be an immediate relative of an elected official or candidate. (Immediate relative means g. parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law);
- 5) Be able to follow instructions;
- 6) Be able to attend an instructional seminar;
- 7) Be able to pass a standardized examination of the election laws; and
- 8) Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

SOURCE: Law governing 3 GCA § 3110

Appointment

Pursuant to 3 GCA §§ 3109 & 3110, the Guam Election Commission (GEC) has the authority to appoint voter registrars in preparation for any election.

- The term of appointment for district registrars shall commence twenty-one (21) days prior to an election and ends fifteen (15) days prior to an election.
- The term appointment for volunteer registrars shall commence any time prior to an election and shall cease twenty-one (21) days prior to an election.

All registrars are supervised and responsible solely to the Guam Election Commission for election matters.

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Deleted: The term of appointment shall commence any time prior to an election and shall cease ten (10) days prior to any election. The GEC is responsible for the appointment of Voter Registrars. All registrars are supervised and responsible solely to the Guam Election Commission for election matters

Oath

The following oath must be taken by Voter Registrars in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge my duties as a Voter Registrar to the best of my ability. All Election Commission records entrusted to me will be returned to the office of the Guam Election Commission by _____.

SOURCE: Law governing 3 GCA § 3110

Duties and Responsibilities

Voter Registrars are tasked with assisting the Guam Election Commission in populating its voter registry and decolonization registry. All voter registrars are responsible for ensuring that every applicant is eligible to vote under the Election Code of Guam, collecting voter information for processing, properly completing the required forms, and the complete return of all election documents entrusted to them.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Training

Under the Election Code of Guam Voter Registrars must attend training conducted by the GEC. In order to comply with the training requirements, Voter Registrars must obtain two (2) hours of training and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- Rules for Determining Residency
- Properly Execute Affidavit of Registration
- Voter Transfer and Changes
- Reporting Periods
- Voter Cancellation

SOURCE: Law governing 3 GCA § 3110(a)

The Voter Registrar Manual shall detail the duties and requirements for all Volunteer and District Registrars. The manual shall be available at the GEC main office, and to every Volunteer and District Registrar deputized by the Guam Election Commission.

Dismissal

A Registrar is subject to dismissal if he/she: (1) refuses to register a qualified resident; (2) consistently makes errors; (3) allows the affidavits to be executed by anyone other than with a deputized registrar; (4) loses the affidavit(s) of registration; (5) registers anyone who is not a U.S. citizen or anyone not within the provisions set out in 3 GCA § 3101; or (6) otherwise violates any other portion of the Election Code.

▪ **Deputized Homebound Officials**

Qualifications

To qualify as a Deputized Homebound Official, an individual must:

1. Be a registered voter of Guam;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate (Immediate relative means ~~parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law~~).
5. Be able to follow instructions;
6. Be able to attend an instructional seminar;
7. Be able to pass a standardized examination of the election laws; and
8. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Deleted: grandmother, grandfather, mother, father, son, daughter, grandchild, wife, husband, and/or in-law

Appointment

Pursuant to 3 GCA § 10113, the GEC extends its authority to deputize individuals to assist in conducting the Homebound Absentee Voting Procedures for any election. The Deputized Homebound Officials will carry out the day-to-day homebound voting program as prescribed by the GEC.

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Oath

The following oath must be taken by all Deputized Homebound Officials in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge my duties as a Deputized Homebound Official to the best of my ability. All Election Commission records and ballots entrusted to me will be returned to the office of the Guam Election Commission at the end of every day.

Organizational Structure and Responsibilities

Deputized Homebound Officials (DHOs) are primarily broken down into teams of either two (2) or three (3), depending on the availability of party representatives. The teams are comprised of either two (2) Deputized Homebound Officials or one (1) Deputized Homebound Official and two (2) party representatives – one (1) representative per party. In the event that a party is unable to provide a homebound party representative, the party representative present may accompany two (2) Deputized Homebound Officials.

Deputized Homebound Officials are responsible for hand-carrying and notarizing the Affidavit Envelopes and keeping inventory of all Official Balloting Materials. The DHOs are to carry out and explain the Homebound Voting Procedures, as instructed by the GEC, to the Homebound Voter. If at any time a Homebound Official is unable to continue with the process, the process will cease for that team. It is the responsibility of the Homebound Official to inform the GEC if such a situation does arise. Not later than 6:00pm of every day, all Deputized Homebound Officials must submit all Official Balloting Materials to the GEC. Failure to do so will result in prosecution by the Attorney General's Office as prescribed by law. Homebound Officials are not to speak in favor of or against any candidate while carrying out the homebound voting process. They must stay neutral while carrying out their Homebound Official duties.

Training

Deputized Homebound Officials (DHO) must attend a two (2) hour training conducted by the GEC, and pass a standardized examination of the election laws of Guam.

The Deputized Homebound Officials (DHO) Manual shall detail the duties and requirements for all DHO. The manual shall be available at the GEC main office, and to every DHO deputized by the Guam Election Commission.

Dismissal

A Deputized Homebound Official is subject to dismissal if he/she: (1) refuses to follow directions, (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

prescribed in the Homebound Official Manual, (5) commits any violations of the Election Code of Guam.

▪ Poll Maintenance Workers

The GEC customarily hires one individual staff member from the facility in which the election is to be held to help maintain polling sites. Responsibilities may include but are not limited to:

- Opening polling facility
- Ensuring walkways are clear
- Ensuring there is adequate lighting
- Ensuring restrooms are open and maintained
- Assist Precinct Officials with conducting Accessible voting
- Assisting precinct officials with any maintenance issues within their precincts

▪ Tabulators

Qualifications

To qualify as a Tabulator, an individual must:

1. Be a registered voter of Guam;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate. (Immediate relative means parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law).
5. Be able to follow instructions; and
6. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Deleted: grandmother, grandfather, mother, father, son, daughter, grandchild, wife, husband, and/or in-law

Appointment

The Commission may appoint such persons as may be necessary for the manual tabulation of ballots and/or for the operation of the vote tabulating device, and to keep watch on such tabulation for any possible illegal vote or any error or omission on the part of the persons tabulating the ballots or operating the vote tabulating device.

SOURCE: Law governing 3 GCA § 11109

Oath

The following oath must be taken by all Tabulators in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a registered voter of the district of _____, that I am not holding nor am I a nominee of an elective office; that I am not an immediate relative of an elected official or candidate, and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Guam, and that I will faithfully discharge my duties as a Tabulator to the best of my ability. All Election Commission records and ballots entrusted to me will be returned to the office of the Guam Election Commission.

Duties and Responsibilities

Tabulators are responsible for assisting the Guam Election Commission at the Election Return Center on election night. Responsibilities may include but are not limited to:

- Assisting with the setup of Election Center
- Directing precinct officials to appropriate stations
- Properly completing required forms
- Monitor Tabulation Equipment
- Tabulating cast ballots (by hand or machine)
- Securing Election Center

Dismissal

A Tabulator is subject to dismissal if he/she: (1) refuses to follow directions (2) consistently makes errors, (3) fails to carry out his/her duties, (4) or commits any violations of the Election Code of Guam.

▪ **Site Support Coordinators**

Qualifications

To qualify as a Site Support Coordinator, an individual must:

1. Be a registered voter of Guam in the district he/she is assigned;
2. Not be holding an elective office;
3. Not be a candidate for office;
4. Not be an immediate relative of an elected official or candidate. (Immediate relative means parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child, step-child, grandchild, step-grandchild or in-law);
5. Be able to follow instructions;
6. Be able to attend an instructional seminar;
7. Be able to pass a standardized examination of the election laws; and
8. Not be a Director or Deputy Director of the Executive Branch, Administrative Director or Assistant Administrative Director of the Legislative or Judicial Branch.

Deleted: grandmother, grandfather, mother, father, son, daughter, grandchild, wife, husband, and/or in-law

Oath

The following oath must be taken by all Site Support Coordinators in the presence of an officer qualified to administer oaths:

I do solemnly swear that I am a voter of the district of _____; that I can read and write the English language; that I am not holding, nor am I a nominee for, an elective office; that I am not a parent, step-parent, grandparent, step-grandparent, spouse, sibling, step-sibling, child,

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

step-child, grandchild, step-grandchild, or in-law of a candidate in the district in which I am being appointed; and that I will support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will faithfully discharge the duties of the office of Site Support Coordinator for the District of _____ to the best of my ability.

Duties and Responsibilities

Site Support Coordinators duties include but not limited to setting up the polling place preserving order, monitoring voting equipment and assisting the Precinct Officials in carrying out their duties. Additionally, they shall also act as greeters guiding voters to their appropriate precincts within the polling place.

Training

A Site Support Coordinator must attend a four (4) hour training conducted by the GEC, and pass a standardized examination of the election laws of Guam. The training shall include but not be limited to:

- Opening the Polls
- Voting Procedures
- Assisting Voters with Disabilities
- Processing Absentee Ballots
- Accessible Voting
- Processing Provisional Voters
- Processing Voter Challenges
- Processing Administrative Complaints
- Closing the Polls

The duties and requirements for Site Support Coordinators on Election Day shall be detailed in the Precinct Official Manual. The manual shall be available at the GEC main office, and to all Site Support Coordinators on Election Day.

Dismissal

A Site Support Coordinator is subject to dismissal if he/she: (1) refuses to follow directions, (2) consistently makes errors, (3) discriminates against any voter on any basis, including but not limited to race, religion, sex, or disability, (4) fails to carry out duties as prescribed in the Precinct Official Manual, (5) commits any violations of the Election Code of Guam.

▪ **Poll Watchers/Homebound Representatives**

Qualifications

Directors or Deputy Directors of the Executive Branch of Government of Guam, Administrative Directors or Assistant Administrative Directors of the Legislature or Judicial Branch, or Administrative Aids or Assistants to Senators, or any elected official shall not serve as a poll watcher.

SOURCE: Board Policy: 10/4/1983

ELECTION OFFICIALS & THEIR RESPONSIBILITIES

Duties and Responsibilities

Each recognized political party and a representative of an independent candidate whose name appears on the ballot, if any, may have no more than one (1) observer present to witness the conduct of the election and to challenge any voter. Such observers are hereby prohibited from interfering with the precinct board at any time during the conduct of the election, and shall not be permitted within the precinct barricade.

SOURCE: Law governing 3 GCA § 9114

The duties of a poll watcher are: (1) ensure that the precinct officials are administering their duties properly; (2) issue voter challenges; and (3) monitor voter participation.

Homebound Representatives

Members of a political party may accompany Commission staff or Deputized Homebound Officials who deliver absentee ballots to the homes of sick and disabled voters. Upon entering the homes of any absentee voters, the Commission staff member or deputized homebound officials must identify his/her self and the homebound representative from the political parties.

Removal

Poll Watchers/Homebound Representatives are subject to removal if he/she (1) interferes with the precinct officials/deputized homebound officials, (2) solicits or speak to a voter regarding the marking of his/her ballot, (3) wears any articles (i.e. emblems, t-shirts, hats etc.) signifying a political affiliation to a party or candidate(s), (4) any violations of the poll watcher guidelines, or (5) commits any violation of the Election Code of Guam.

VOTER REGISTRATION

Voter Registration

The purpose of voter registration in Guam is to allow qualified citizens the right to vote. It is the responsibility of the Guam Election Commission and its election officials to ensure that every eligible elector can participate in the democratic process.

Qualifications to Register:

In order to register to vote, an individual:

1. Must be a U.S. citizen
2. Must be eighteen (18) years of age or older on or before Election Day
3. Must be a resident of Guam
4. Must not be confined to a mental institution
5. Must not be judicially declared insane
6. Must not be committed under a sentence of imprisonment

SOURCE: Law governing 3 GCA § 3101

Pre-Registration

3 GCA § 3102(c) provides that every person that meets all eligibility requirements to register and is sixteen (16) years of age or older, may pre-register to vote. The registration of an individual who has pre-registered to vote will be deemed effective on the date the registrant will be eighteen (18) years of age. Pre-registrants must provide current information if the information provided on their pre-registration is no longer current on the date their registration would be deemed effective.

SOURCE: Law governing 3 GCA § 3102(c)

Residency

Guam law provides that each person's residency is to be determined individually; that is, no person's residency shall conclusively determine the residency of that person's spouse or child. The following rules should be prescribed in determining an individual's residency:

1. The residency of a person is that place where that person lives for a period of at least thirty (30) days, maintains that person's home and to which, whenever that person is absent, that person has the bona fide intention to return. For voting purposes, a person may have only one (1) residence. Indicia of residence on Guam shall include, but not be limited to, payment of Guam personal income taxes, maintaining a home or other living accommodation on Guam, having temporarily departed Guam with the intention of returning, and not being registered to vote in any other U.S. jurisdiction since departing Guam.
2. A person does not gain residency on Guam, or any voting district, from which that person comes unless that person intends to establish a permanent dwelling place within Guam, or such voting district.

Deleted: Newly enacted Public Law 33-12

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VOTER REGISTRATION

3. If a person resides with one's family in one (1) place, and does business or maintains real property in another place, the former is that person's place of residence; but any person having a family, who establishes one's own dwelling place other than with one's family, with the intention of remaining there, shall be considered a resident where that person established such dwelling place.
4. The mere intention to acquire a new residence without physical presence at such place does not establish residency.
5. A person does not obtain or lose residency solely by reason of that person's presence or absence while employed in the services of the United States, or of the government of Guam, or while a student at an institution of learning, or while kept in an institution, a hospital, or asylum, or while confined in prison.
6. A person loses one's residency in Guam if that person registers to vote or votes in an election held in a place other than Guam.
7. No person who is registered to vote in another U.S. jurisdiction may vote on Guam until the Commission has transmitted an affidavit to said jurisdiction requesting that person's name to be removed from such election roll. The Commission shall provide affidavit forms for the removal of names of voters from the election rolls of other U.S. jurisdictions. For purposes of establishing residency in a district or municipality, a person shall be domiciled in that district or municipality for at least thirty (30) days immediately prior to the election. For voting purposes, a person shall have only one (1) place of domicile.

SOURCE: Law governing 3 GCA § 9123

▪ Where to Register

Electors may register at the Guam Election Commission's (GEC) main office, or with a deputized Registration Clerk (registrar) at a Village Mayor's Office, a public high school, or a college campus, at the Department of Motor Vehicles, and online at the GEC's website.

SOURCE: Law governing 3 GCA § 3105

▪ When to Register

Registration at the Guam Election Commission's main office shall be in progress during all office hours Monday-Friday 8:00 am- 5:00pm except for holidays. During District Voter Registration, twenty-one (21) days prior to any election, voter registration at the GEC's main office as well as at the Village Mayor's Offices will be open until 8:00 pm. The last day to register to vote is ~~fifteen~~, (15) days prior to any election. Transferring districts is prohibited between the Primary and General Elections.

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▪ Online Registration

Any qualified person who has a valid Guam driver's license or Guam identification card may submit a voter registration application online at the Guam Election Commission's website at www.gec.guam.gov.

SOURCE: Law governing 3 GCA § 3102.1

Deleted: Public Law 33-11 Section 4 §3102.1

VOTER REGISTRATION

Declaration

Any person seeking to register to vote online must attest under penalty of perjury to the following:

- a) I am a citizen of the United States of America.
- b) I am at least sixteen (16) years old.
- c) I have been a resident of Guam for not less than thirty (30) days immediately preceding date of the application
- d) I am not committed under a sentence of imprisonment
- e) I acknowledge that a person who knows that he or she does not possess the legal qualification of a voter and who register to vote is guilty of a felony in the third degree
- f) I agree to the use of my Guam Driver's License or Guam ID card signature for voter registration purposes
- g) I attest that all the information I provided on this application is true and correct.

SOURCE: Law governing 3 GCA §3102.1

Electronic Signature

For the purpose of online registration, the Guam Election Commission shall recognize electronic signatures as valid and equivalent to handwritten signatures unless otherwise prohibited by law.

Applicant Verification

The Guam Election Commission must obtain a digital copy of the applicant's Guam driver's license or Guam identification card signature from the Department of Revenue and Taxation, Motor Vehicle Division. The GEC must ensure that all employees granted access have completed the required training on proper systems use, data security, and compliance with applicable laws and policies. Access will be used solely for authorized purposes and all users are responsible for maintaining confidentiality and data integrity.

SOURCE: Law governing 3 GCA §3102.1 (e)

Voter Notification

~~For the purpose of online and motor voter registration,~~ the Guam Election Commission (GEC) shall transmit, upon completion, of review, the confirmation of the applicant's status of registration. Should additional information or documentation be required to complete the registration, the GEC must notify the applicant promptly, specifying the necessary requirements and any applicable deadlines.

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Online Registration Deadline

Any applicant may be registered electronically in accordance with 3 GCA §3102.1 from the time the registration is open until twenty-one (21) days prior to an election. The Guam Election Commission shall on its website publish the following:

- a) The Deadline to register to vote online.
- b) The Deadline to register to vote in the upcoming election.

VOTER REGISTRATION

c) Place(s) and time for registration.

▪ **Motor Voter Registration**

Any person applying for a Guam Driver's License, Guam ID, or renewal of either, may register to vote or update their voter registration provided that all the eligibility requirements to register to vote under to 3 GCA Chapter 3 are met.

SOURCE: Law governing 16 GCA §3101.3

Voter Consent & Affirmation

The Guam Election Commission shall prepare a statement of consent and affirmation to be placed in the Guam Driver's License and Identification Card Application. The statement shall affirm that the voter is:

- a) A U.S. Citizen;
- b) At least sixteen (16) years of age;
- c) A resident of Guam as defined in 9 GCA § 9123;
- d) Not confined to a mental institution nor judicially declared insane; and
- e) Is not committed under a sentence of imprisonment.

All applicants shall indicate their decision to register to vote, update their existing voter registration, or decline to register. As part of the registration process, applicants must sign the designated authorization to ensure compliance with voter registration requirements. Employees must verify that an option has been clearly selected before processing the request, and any failure to sign or indicate intent must be documented.

Failure to Consent or Sign

Should an applicant fail to provide a signature or consent to register to vote, update their voter registration, or decline registration, the application shall not be processed and will be considered a decline with no further action to be taken. This action shall be documented appropriately.

Motor Voter Notification

The Guam Election Commission (GEC) shall transmit a notice to the applicant confirming the status of their registration upon completion of the review process. Should additional information or documentation be required to complete the registration, the GEC must notify the applicant promptly, specifying the necessary requirements and any applicable deadlines.

Motor Voter Registration Deadline

Any person applying for a Guam Driver's License, Guam ID, or renewal of either, may register to vote or update their voter registration from the time the registration is open until twenty-one (21) days prior to an election. The Guam Election Commission shall immediately remove the consent and affirmation statement from the Guam Driver's License and Identification Card Application to prevent the improper registration of an applicant.

▪ **Registration Affidavits**

VOTER REGISTRATION

1 Upon registration, the affidavit of registration shall be produced in duplicate, where the
2 original is filed with Guam Election Commission and a certified copy is given to the applicant.

3 All forms of registration of a voter is permanent for all purposes during that person's life,
4 unless and until the affidavit of registration is cancelled by the Guam Election Commission. ▼

5 SOURCE: Laws governing 3 GCA §§§ 3118, 3120, & 3126

6 ■ Volunteer Registrars

7 The Guam Election Commission may appoint Volunteer Registrars any time prior to an
8 election to serve a term beginning at their appointment date up to twenty-one (21) days prior
9 to an election.

10 SOURCE: Law governing 3 GCA § 3110

11 *Maximum Number of Volunteer Registrars*

12 The Guam Election Commission Board of Commissioners shall determine the maximum
13 number of Volunteer Registrars for each political party for each election cycle.

14 Excluding the number of Volunteer Registrars set for each political party, the GEC may
15 deputize volunteer registrars from any bona fide association and/or organization which shall
16 not exceed five (5) volunteers from each for each election cycle.

17 SOURCE: Board Policy 06/11/1985

18 *Reporting/Evaluation*

19 Each Volunteer Registrar shall check-in on the days designated by the GEC. Failure to check-
20 in with the GEC on days designated may result in dismissal.

21 Each Volunteer shall submit their completed Affidavits of Registration as soon as possible to
22 include any and all cancelled/void affidavits to the Guam Election Commission. The
23 Commission staff shall review each Affidavit for completeness and accuracy. If any error(s)
24 exists, the staff shall point-out the mistake and instruct the Volunteer on the proper
25 registration procedures.

26 SOURCE: Board Policy 7/11/1985

27 *Cessation*

28 All Volunteer Registrars shall cease their registration process twenty-one (21) days prior to
29 an election or upon dismissal. All registrars shall account for all supplies and materials issued
30 to them and return to the Commission.

31 Any Volunteer Registrar who does not return supplies and materials twenty-one (21) days
32 prior to an election, or upon dismissal, will be given five (5) days after the close of registration
33 to comply. If the supplies and materials are not returned to the Commission after five (5) days
34 the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for
35 appropriate actions.

36 ▼ SOURCE: Law governing 3 GCA § 3114
37

Deleted: Guam law provides that all uncanceled affidavits of registration, and the cancelled duplicates, are preserved by the GEC for the purpose of procuring registration....

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VOTER REGISTRATION

▪ District Registrars

The Commission shall appoint at least one (1) registration clerk for each district. The Executive Director shall solicit the mayors of each municipality for nomination of registration clerks within their municipality.

SOURCE: Law governing 3 GCA § 3109

Times for Registration

District registration shall begin twenty-one (21) days prior to an election and shall continue until ~~fifteen, (15)~~ days prior to an election. Hours of operation shall be Monday to Friday from 4:00P.M. to 8:00P.M.

SOURCE: Best Practice since September 2012

Compensation

District Registrars' compensation shall not be less than the minimum wage times 1.5.

SOURCE: Law governing 3 GCA § 3111

Cessation

All District Registrars shall cease their registration process ~~fifteen, (15)~~ days prior to any election or upon dismissal. All registrars shall account for all supplies and materials issued to them and returns to the Commission.

Any District Registrar who does not return supplies and materials ~~fifteen, (15)~~ days prior to an election, or upon dismissal, ~~will be given five (5) days after the close of registration to comply. If the supplies and materials are not returned to the Commission after five (5) days the Commission shall refer the name(s) of the registrar(s) to the Attorney General's Office for appropriate actions.~~

SOURCE: Law governing 3 GCA § 3104

Guam Decolonization Registry

The Guam Decolonization Registry was created with the intent to permit the native inhabitants of Guam, as defined by the U.S. Congress' 1950 Organic Act of Guam, to exercise the inalienable right to self-determination of their political relationship with the United States of America. The Decolonization Registry is a Registry, separate and apart from the Chamorro Registry, which specifically delineates the list of qualified voters for the political status plebiscite.

SOURCE: Law governing 3 GCA § 21001

Civil Case No 11-00035

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VOTER REGISTRATION

Pursuant to the Decision and Order rendered by District Court of Guam Chief Judge Tydingco-Gatewood on March 8, 2017 in Civil Case No. 11-00035, Arnold Davis vs. Government of Guam, et al., the Guam Election Commission ceased all activities related to the registration of Native Inhabitants of Guam. A memorandum was sent to all Government of Guam agency heads to inform them of the Decision and Order and to request all registration forms and other supplies be submitted to the Guam Election Commission. Efforts have also been made to contact Decolonization Registrars personally to ensure all registration materials are returned. The Guam Election Commission is committed to administering the Election laws as expressed in the Guam Code and interpreted by the Courts and is moving forward accordingly.

SOURCE: Civil Case No. 11-00035

▪ Persons Entitled to Register or be Registered

Every person who is a Native Inhabitant of Guam or who is descended from a Native Inhabitant of Guam is entitled to register with the Guam Decolonization Registry. Native Inhabitants of Guam shall mean those person who became U.S. Citizens by virtue of the authority and enactment of the 1950 Organic Act of Guam and descendants of those persons.

SOURCE: Law governing 3 GCA §§ 21001(e) & 21003

Registration of Minors

Individuals below the age of eighteen (18) years, who turn eighteen (18) years on or before the date of the Political Status Plebiscite, shall be entitled to register with the Guam Decolonization Registry by a parent or legal guardian. Such parent or guardian must register such minor by affidavit of registration made before the registration clerk in the office of the Commission. The Commission shall require the submission of such additional information and proper documentation as will enable it to verify the relationship between parent or guardian and said minor, and to comply with the rest of Chapter 21 of 3 GCA. Any change of residency for such minor must be reported to the Commission within thirty (30) days of such change.

SOURCE: Law governing 3 GCA § 21004

Off-Island Native Inhabitants of Guam

Persons who are eligible under Chapter 21 of Title 3 GCA to register with the Guam Decolonization Registry, but who are not on Guam at such time as they intend to register, may complete and submit, via mail or otherwise, a notarized affidavit of registration to the Commission. Affidavits of registration shall be made available by the Commission. The Commission shall also require from such persons the submission of such additional information and proper documentation as will enable it to comply with this Chapter 21 of Title 3 GCA. Any change of residency must be reported to the Commission within thirty (30) days of such change.

SOURCE: Law governing 3 GCA § 21005

▪ When to Register

VOTER REGISTRATION

1 A person may register with the Guam Decolonization Registry at any time during the year,
2 except at such times when the Commission shall close the registration rolls for the purposes
3 of conducting the Political Status Plebiscite. At such times the registration rolls shall be
4 closed ten (10) days prior to such Political Status Plebiscite.

- 5 ▫ Exception. For the purposes of registering eligible persons to vote on the plebiscite
6 relative to Guam's political status, the Commission, in consultation with the
7 Commission on Decolonization

8 SOURCE: Law governing 3 GCA § 21007

9 ▪ **Where to Register**

10 Registration for Native Inhabitants of Guam with the Guam Decolonization Registry shall be
11 in progress at the main office of the Commission during such hours as the office is open for
12 business, prior to any closing of the registration rolls. Upon enactment of this Act, the
13 Commission shall deputize as many volunteers to serve as registration clerks in each of the
14 Villages and designated educational institutions, for an undetermined period after the date
15 of enactment, as is necessary for the purposes of registering eligible persons with the Guam
16 Decolonization Registry. Such registration shall take place at each Mayor's office, Guam
17 Community College, University of Guam, each high school or any other place within the
18 Village designated by the Commission.

19 Native Inhabitants of Guam shall also be able to register with the Guam Decolonization
20 Registry at such times and places within Guam as the Commission shall deem advisable and
21 convenient, and the Commission shall deputize volunteers for such purposes as well.

22 SOURCE: Law governing 3 GCA § 21008

CANDIDATES

▪ Candidates

Governor/Lieutenant Governor

▫ *Qualifications*

- a) Must be an eligible voter;
- b) Must have been, for five consecutive years immediately preceding the election, a citizen of the United States and a bona fide resident of Guam; and
- c) Must be at least thirty (30) years of age at the time of taking office (i.e. the first Monday of January following the date of election)
- d) Must maintain his official residence in Guam during his incumbency
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. §1422

▫ *Term of Office*

The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified.

SOURCE: Law governing 48 U.S.C. § 1422

▫ *How Elected*

The Governor of Guam, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the Legislature of Guam. The Governor and Lieutenant Governor shall be chose jointly, by the casting by each voter of a single vote applicable to both offices.

SOURCE: Law governing 48 U.S.C. § 1422

Senators

▫ *Qualifications*

- a) Must be a citizen of the United States of America;
- b) Must be at least twenty-five (25) years of age at the time of taking office (i.e. the first Monday of January following the date of election)
- c) Must have been domiciled in Guam for at least five (5) years immediately preceding the sitting of the Legislature;
- d) Must not have been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his or her civil rights; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. §1423(f) & 3 GCA § 6103

CANDIDATES

▫ *Term of Office*

Senators elected to the Guam Legislature shall hold office for a term of two (2) years and until their successors are elected and qualified. The term of Senators elected to the Guam Legislature shall commence on the first Monday of January following the date of election.

SOURCE: Law governing 2 GCA § 1105

▫ *How Elected*

I Liheslaturan Guåhan shall be a unicameral body consisting of fifteen (15) Members who are elected at large and as provided by law.

SOURCE: Law governing 3 GCA § 6101

Mayor and Vice-Mayor

▫ *Qualifications*

- a) Must be a citizen of the United States of America;
- b) Must be at least twenty-one (21) years of age;
- c) Must be registered to vote in and have resided within the municipality or village in which he or she is to represent for a period of one (1) year immediately preceding the date of the election at which he or she is a candidate;
- d) Must continue to reside in the municipality or village throughout his or her term in office; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 5 GCA § 40108

▫ *Term of Office*

There shall be an election of Mayors and Vice Mayors at the regular general election in November, 1952, and at the regular general election in every fourth year thereafter, and they shall serve for a period of four (4) years.

SOURCE: Law governing 5 GCA § 40104

▫ *How Elected*

Mayors and Vice Mayors as indicated in § 40101, shall be elected by popular vote of the area which such Mayors are to represent. In districts where there are Vice Mayors, the Mayor and Vice Mayors shall be chosen separately.

SOURCE: Law governing 5 GCA § 40103

Non-Voting Delegate to the U.S. House of Representatives

▫ *Qualifications*

- a) Must be at least twenty-five (25) years of age on the date of the election;

CANDIDATES

- b) Must have been a citizen of the United States of America for at least seven (7) years prior to the date of the election ;
- c) Must be an inhabitant of Guam;
- d) Must not be, on the date of the election, a candidate for any other office; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 48 U.S.C. § 1713

▫ *Term of Office*

The Delegate shall be elected by the people qualified to vote for the members of the legislature of the territory he is to represent at the general election of 1972, and thereafter at such general election every second year thereafter. The term of the Delegate shall commence on the third (3rd) day of January following the date of the election.

SOURCE: Law governing 48 U.S.C. § 1712

▫ *How Elected*

The Delegate from Guam shall be elected at large and by a majority of the votes cast for the office of Delegate. If no candidate receives such majority, on the fourteenth day following such election a runoff election shall be held between the candidates receiving the highest and the second highest number of votes cast for the office of Delegate.

SOURCE: Law governing 48 U.S.C § 1712(a)

Attorney General of Guam

▫ *Qualifications*

- a) Must be a citizen of the United States and a resident of Guam;
- b) Must be an active member in good standing of the Guam Bar Association on Guam for at least five (5) years immediately preceding his or her candidacy for office, or an inactive member of the Guam Bar Association who, in the five (5) years preceding his or her election as an Attorney General has served as an elected official elected by the people of Guam or as a Public Auditor of Guam, or as a Justice of the Supreme Court of Guam or Judge of the Superior Court of Guam;
- c) Must be at least thirty (30) years of age;
- d) Must have not have been suspended from the practice of law in any jurisdiction for violation of ethical rules governing the practice of attorneys; and
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude.

SOURCE: Law governing 5 GCA § 30101(b)

▫ *Term of Office*

CANDIDATES

The Office of the Attorney General of the government of Guam shall be administered by the Attorney General of Guam, who shall be elected by the people of Guam for a term of four (4) years.

SOURCE: Law governing 5 GCA §30101(a)

▫ *How Elected*

In the General Election, the candidate receiving the most votes, subject to the qualifications established by this Chapter, shall be certified by the Guam Election Commission as having won election to the position of Attorney General. The Attorney General shall be sworn into and take office on the first Monday of the January following the General Election at which the Attorney General was elected and shall remain in office until the election and swearing in of a new Attorney General, unless removed from Office.

SOURCE: Law governing 5 GCA § 30101(b)

Public Auditor

▫ *Qualifications*

- a) Must be a citizen of the United States and a resident of Guam for the five (5) years preceding his or her election;
- b) Must not have been convicted of a felony or suspended in any U.S. or non-U.S. jurisdiction by an ethics board overseeing the certified public accountant or attorney, as the case may be;
- c) Must either:
 - be a certified public accountant, or
 - be an attorney at law, or
 - have at least five (5) years of experience in the establishment or enactment of government budgets
- d) Must not declare a political party affiliation;
- e) Must not seek the endorsement or receive directly or indirectly financial or material support from a political party.

SOURCE: Law governing 1 GCA §§ 1903 & 1906

▫ *Term of Office*

The Public Auditor shall serve a term of four (4) years.

SOURCE: Law governing 1 GCA § 1903

▫ *How Elected*

The Public Auditor shall be elected by the voters of Guam in a General Election occurring at the same time as the General Election for Mayors. The candidate receiving the most votes, subject to the qualifications established by this Chapter, shall be certified by the Guam Election Commission as having won election to the position of Public Auditor.

SOURCE: Law governing 1 GCA § 1903

Consolidated Commission on Utilities

CANDIDATES

▫ *Qualifications*

- a) Must be a registered voter of Guam;
- b) Must be at least twenty-five (25) years of age;
- c) Must have been a resident of Guam for at least five (5) years prior to the date of the election;
- d) Must not simultaneously serve as a Commissioner and an employee of the Guam Waterworks Authority, the Guam Power Authority, or the Public Utilities Commission, or simultaneously serve as a Commissioner and an unclassified or contracted employee of the government of Guam;
- e) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to §6110, Title 3, Guam Code Annotated.

SOURCE: Law governing 12 GCA § 79101

▫ *Term of Office*

Commissioner shall be elected to serve a term of four (4) years, commencing on the First (1st) day of January following their election.

SOURCE: Law governing 12 GCA § 79103(a)

▫ *How Elected*

The five (5) Commissioners of the Consolidated Commission on Utilities are elected at-large by the voters of Guam in a General Election.

SOURCE: Law governing 12 GCA § 79101

Guam Education Board

▫ *Qualifications*

- a) Must be at least twenty-five (25) years of age;
- b) Must be a resident of Guam for at least five (5) years immediately preceding the date on which the member takes office and continuing throughout the term;
- c) Must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct or crime of moral turpitude, pursuant to 3 GCA § 6110.

SOURCE: Law governing 17 GCA § 3102.3(b)

▫ *Term of Office*

Each elected voting member shall serve for a term of two (2) years, commencing at 12:00 noon on the first Monday in January following their election.

SOURCE: Law governing 17 GCA § 3102.3(b)

▫ *How Elected*

Six (6) voting members shall be elected at-large at each General Election.

SOURCE: Law governing 17 GCA § 3102.3(b)

▪ **Candidate's Packets**

CANDIDATES

Nominating Petitions

Person(s) interested in pursuing an elected public office may pick up nominating petitions at the main office of the Election Commission.

▫ Circulating Petitions

Nominating petitions may be circulated by a candidate and/or by any other qualified person(s) of the candidate choice. For petitions to be accepted, each circulator must sign the "Certificate of Circulator" on the last page of the petition (Form EC). The GEC shall not accept any petition without the affirmation of the circulator.

▫ Number of Required Signatures for Elected Office

OFFICE	NUMBER OF SIGNATURES
Governor/Lt. Governor	500
Senator	250
Mayor	100
Vice Mayor	100
Non-Voting Delegate to U.S. House of Representatives	500
Attorney General	Not required
Public Auditor	Not Required
Consolidated Commission on Utilities	Not Required
Guam Education Board	150

Organizational Report

Each candidate, committee, and political party shall file an organizational report no later than the earliest of the following applicable days:

- a) on or before the day of filing for nomination or election;
- b) by the tenth (10th) day after receiving any contributions for the next campaign in an aggregate amount of more than Two Hundred Fifty Dollars (\$250.00) or the making or incurring of any expenditure for the next campaign in excess of Two Hundred Fifty Dollars (\$250.00).

SOURCE: Law governing 3 GCA § 17106

Certification of Qualification

Every person seeking nomination for any elected office shall submit a certification of qualification attesting to his/her qualification for the elected office he/she is seeking.

Declaration by Sponsors

A declaration of candidacy may be filed with the Commission by any five (5) registered voters of Guam who jointly propose a candidate for I Liheslaturan Guåhan, or for any office, without the signature of that candidate. If the office to be filled is for a municipality or division thereof, only registered voters of the municipality or division concerned may so file a declaration of candidacy.

CANDIDATES

SOURCE: Law governing 3 GCA § 6106

Affidavit of Convicted Felon

Every person seeking nomination for any elected office shall submit the GEC an Affidavit of Convicted Felon (Form EC-3H) attesting that they are not a convicted felon and have not been convicted of a crime of moral turpitude.

SOURCE: Law governing 3 GCA § 6110

Candidate Information Card

Every person seeking nomination for any elected office must complete and file with the Commission a Candidate Information Card (Form EC-16). The Candidate Information Card shall contain:

- Name
- Elected Office Sought
- Mailing Address
- Date of Birth
- Telephone Number (Home and Work)
- Residence (Village)
- Email Address
- Name to Appear on Ballot
- Family Name/Nickname (20 Letters Maximum)
- Political Party (if applicable)
- Date Qualified as a Candidate
- Signature of Candidate

▪ **Public Official Financial Disclosure Act**

All candidates seeking an elected office, shall file their financial disclosure documents in accordance with Title 4 GCA Chapter 14

▪ **Filing Candidacy**

When to File ~~Petitions~~

Notwithstanding any other provision of law, candidates for I Liheslaturan Guåhan, offices of I Maga'lahen Guåhan [Governor] and I Segundu Na Maga'lahen Guåhan [Lieutenant Governor], Washington Representative, Mayor and Vice-Mayor, shall file their nomination petition papers and all other required documents with the Commission no earlier than one hundred sixty (160) days before the primary election, and no later than ninety (90) days before the primary election. Notwithstanding any other provision of law, candidates for the Attorney General of Guam, Public Auditor, Guam Education Board and the Consolidated Commission on Utilities shall file their declarations of candidacy with the Commission no earlier than one hundred ~~sixty~~, (160) days before the general election, and no later than ~~ninety~~, (90) days before the general election.

SOURCE: Law governing 3 GCA § 6108

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CANDIDATES

Filing Fee

All candidates – with the exception of those who are seeking the office of the Attorney General, Public Auditor, members of the Consolidated Commission on Utilities and Members of the Guam Education Board – shall file along with their nomination papers a fee of one hundred (100) dollars.

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Only Completed Packet Accepted

The Guam Election Commission shall only accept completed Candidate Packets upon filing. The following forms must be filled out in order for the packet to be considered complete:

- Nominating Petitions (if applicable)*
- Candidate Information Card
- Certification of Qualification
- Certification – Declaration of Candidacy (if applicable)
- Organizational Report (if not already filed)*
- Public Financial Disclosure Statement
- Affidavit of Convicted Felon
- Police and Court Clearance
- Filing Fee (if applicable)*

*A packet submitted by persons sponsoring a candidate for an elected public office shall be accepted pending the acceptance of the candidate being sponsored. Upon acceptance, the remaining forms must be completed and filed with the Commission

SOURCE: Best Practice since 2000

Candidacy Decline or Acceptance

Any candidate for whom a declaration of candidacy has been filed either by a political party or by sponsors may decline or accept to be a candidate by making known such declination or acceptance in writing to the Commission within two (2) workings days following the submission of nomination petition papers and all other required documents to the Commission by the sponsor(s).

SOURCE: Law governing 3 GCA § 6107

▪ **Election Campaign Contributions and Expenditures**

All candidates seeking an elected office, shall file their election campaign contributions and expenditures report in accordance with Title 3 GCA chapter 17

▪ **Public Financial Disclosure**

All candidates seeking an elected office, shall file their public financial disclosure report in accordance with Title 4 GCA chapter 13 and 6 GARR chapter 4.

PRE-ELECTION DAY PREPARATION

▪ Stakeholders

The Executive Director may seek the assistance from the following stakeholders in the implementation of any regularly scheduled election:

Department of Public Works

The GEC coordinates with the Department of Public Works (DPW) for the assistance with: 1) the transportation of ballot stocks and voting materials to their assigned municipal polling sites and 2) the transportation of precinct officials, ballot stocks, and voting materials to the Election Center.

Guam Power Authority

Assistance is sought from the Guam Power Authority (GPA) to provide on-site power support at the Election Center in order to ensure that the power circuits remain uninterrupted during ballot tabulation.

Guam Police Department

Assistance is sought from the Guam Police Department (GPD) to provide security for:

- Police escort of DPW buses while transporting election materials to and from the polling sites
- Police escort of Early Voting Ballots to and from the vote center
- Police presence at Early Voting Center
- Police presence at each municipal polling place
- Security at Election Headquarters
- Security at Election Return Center
- Police escort of cast ballots to the GEC's main office

Guam Department of Education

The GEC collaborates with the Guam Department of Education (DOE) to utilize the Guam Public Schools as polling sites for each municipality on Election Day.

Superior Court of Guam

A standby Judge is needed on Election Day in the event that a voter or challenger wishes to appeal the decision of the Commission in the process of challenging a voter. In any election, the GEC shall request that a standby Judge be provided by the Superior Court of Guam.

▪ Publications

Notice of Polling Place Location and Hours

Not less than thirty (30) days prior to the date set for any election, The Commission shall designate, announce, and publish the official polling sites and the official precincts, along with the alphabetical range assigned to each precinct where the ballots are to be cast in such election. In the case of a runoff election, the polling places and precincts shall be the same as

PRE-ELECTION DAY PREPARATION

in the election precipitating the need for a runoff, unless determined otherwise by the Commission.

SOURCE: Law governing 3 GCA § 4101

Notice of Election; Publication, Posting

At least thirty (30) days before the date for holding the election, the Commission shall prepare and transmit to each municipal mayor a notice, in writing, designating the office for which candidates are to be nominated at the election, and state the time, date, and the place where the election voting will be held.

Within ten (10) days after transmitting the notice to the municipal mayors, the Commission shall cause notice of the election to be posted in three (3) conspicuous public places in each of the municipal districts of Guam, and to be published at least three (3) times in a newspaper of general circulation in Guam. The notice shall state the time, date, and place where the election voting will be held, together with the offices for which candidates are to be nominated and elected.

SOURCE: Law governing 3 GCA § 15202

Publication of All Candidates and Offices

The Guam Election Commission is to publish the names of all candidates and the offices for which they have declared their candidacy after each filing deadline. The filing deadlines for each office are as follows:

Ninety (90) Days before the Primary Election:

- Governor/Lieutenant Governor
- Senator
- Washington Representative
- Mayor/Vice-Mayor

Ninety (90) Days before the General Election:

- Public Auditor
- Attorney General
- Guam Education Board
- Consolidated Commission on Utilities

SOURCE: Law governing 3 GCA § 6108

Publication of Sample Ballot

At least twenty (20) days before any election, the Commission shall certify to the printer the sample ballot with the names of the nominees thereon in the same order and manner as they will appear on the official ballot, and immediately thereafter cause a true copy of the same to be published at least once in a daily paper of general circulation. The ballot, as published, shall be identical to that used for voting, except for the substitution of the word "Sample" where the word "Official" shall appear upon the election ballot, and may be reproduced for voter instruction in colors contrasting with official ballots.

SOURCE: Law governing 3 GCA § 7104

PRE-ELECTION DAY PREPARATION

Publication of Members of Precinct Board

The Commission shall publish the names of the members of the precinct boards in a newspaper of general circulation published in Guam at least two (2) times, the last publication to be not less than one (1) day before the day of any election.

SOURCE: Law governing 3 GCA § 4108

Publication for Special Election

Upon receipt of the special election proclamation, the Commission shall cause a copy to be published in a newspaper of general circulation, and to be posted in each municipality where such special election will take place, at least twenty (20) days before the scheduled date of the election.

SOURCE: Law governing 3 GCA § 5105

▪ Site Inspections

Polling Places

The Guam Election Commission (GEC) Executive Director will send a letter to the Guam Department of Education (DOE) Superintendent or solicit any private property owner requesting use of the Guam public schools or private property as polling locations for the upcoming election. The correspondence should be sent out at least six (6) months prior to the Primary Election. The GEC staff, upon approval of the Superintendent or private property owner, shall visit each polling place no later than 60 days prior to any primary election. The staff will meet with the principal, designated staff member, or private property representative of each facility to be used as a polling location to finalize and confirm rooms or spaces that will be designated for each precinct. Each room to be used as a polling site should meet the following minimum criteria:

1. There should be adequate Accessible Parking spaces (one accessible parking space for every 25 spaces).
2. The room used should be at a reasonable distance from the parking area.
3. Rooms should be on the same level as the parking area. If the facility being used is multi-level, there should access ramps available for persons with disabilities. The ramp to be used should be in compliance with the Americans with Disabilities Act. (one foot run: one inch rise).
4. There should be adequate lighting along the path of travel to and from the parking space and polling area.
5. Restrooms should be at a reasonable distance from the polling area.

The school principal or private property representative should designate a poll maintenance worker whose responsibility will be to ensure that the entrances to the polling sites will be opened no later than 6 a.m. Election Day. That person will be compensated by the GEC.

Prior to Election Day, the GEC staff will set perimeter boundaries for electioneering. The boundaries shall be set in accordance with Title 3 of the Guam Code Annotated. The solicitation of any private facility shall be done in accordance with the Guam procurement

PRE-ELECTION DAY PREPARATION

law.

SOURCE: Best Practice since 2004

Polling Place Accessibility

Attention needs to be given to the special needs of voters with disabilities. It is important to examine the entire polling place, from the parking lot to the entrance of the polling place to the voting area, to assess any areas where temporary accommodations may be needed. The GEC.

Some common problems to look for:

1. If there is an alternate entrance used by voters with disabilities, the pathway to the accessible entrance should be clearly marked and a sign posted at the primary entrance directing voters with disabilities to the accessible entrance.
2. Be sure that if off-street parking is available at the polling location, that any accessible parking spots are marked with appropriate signs and access aisles are clearly designated.
3. Some doors are too heavy to be opened by the elderly or voters with disabilities. Such doors should have automatic openers or should be left open, if designated as the accessible entrance.
4. A voting booth that is accessible to electors in wheelchairs must be set up. This booth must be at least thirty (30) inches wide with a writing surface between twenty-eight (28) and thirty-four (34) inches high in order to meet accessibility standards. A wheelchair accessible table may meet this requirement if supplemented with a curtain.
5. Accessible equipment must be set up in the accessible voting booth in a manner ensuring privacy for voters choosing to use the equipment.

▪ **Equipping the Polling Place**

The Guam Election Commission is responsible for developing a layout for each of the polling places in accordance with 3 GCA § 9103 (i.e. The precincts shall be arranged so that neither the ballot boxes nor tables on which they are placed shall be hidden from the view of voters outside the guard-rail, rope or other barricade). Prior to any election the Commission shall solicit the assistance of the Department of Public Works of the government of Guam to utilize its labor force for the preparation of the polls.

Layout

Prior to Election Day, the GEC officials should consult with the school principals and Poll Maintenance Workers as to the layout of the polling place. It is important to be familiar with the flow of traffic and take a critical look at the polling place, to make sure it will be accessible for all voters, including those with disabilities.

When planning the layout of the polling place, consider the following:

Voting Booths

PRE-ELECTION DAY PREPARATION

- Every polling location is required to be able to service a minimum of eight (8) voters at a time.
- One booth must be at least thirty (30) inches wide with a writing surface between twenty-eight (28) and thirty-four (34) inches high in order to meet accessibility standards.
- Precinct Officials must be trained to properly assemble all voting booths and curtains.
- Booths must have a surface on which to write and be sufficiently enclosed to ensure privacy for the elector. It is important to remember that the accessible booth must also be sufficiently enclosed to ensure privacy for the elector. This can be achieved by using a privacy shield or by positioning the booth/equipment so that it is facing away from the view of the room.
- Appropriate marking devices (pencils, pens, etc.) for use with the voting equipment, if any, must be provided.

Ballot Boxes

- One ballot box is required for each type of ballot used in the election.
- The boxes should be clearly labeled to indicate its designated precinct and the ballots (i.e. partisan and nonpartisan) that are to be deposited in them.
- There should be a suitable lock for each ballot box.

Tables and Chairs

- Ensure that there are enough tables and chairs for election officials to conduct their work, as well as adequate seating for voters waiting to be serviced.

Signs

- Traffic in the polling place can be improved by posting “Enter” and “Exit” signs. In addition, signs marking the accessible path should be prominently posted and easy to read from the parking lot.
- Directions that instruct voters on how to mark ballots, provide proof of identification and sign the Election Day rosters can make the check-in process more efficient. (NOTE: These signs are to be distributed in the supply boxes on Election Day).

A Designated Poll Watcher Area

- The Poll Watcher area must be in the polling site at least eight (8) to ten (10) feet from the ballot box(es).

SOURCE: Rule governing 6 GARR § 1202

▪ Ballots

Blank Ballot Inventory

The GEC shall maintain a minimum inventory to cover an island-wide election based on the current registration with an increase factor of fifteen percent.

Deleted: Upon conducting an accurate inventory of blank ballot stock, the GEC establishes the total number of ballots and ballot types needed for each precinct based on current registration, factoring in an increase of fifteen per cent (15%).[¶] separate boxes for each precinct and by ballot type. Each ballot stock code is located on the bottom right corner of each ballot. The GEC ensures that each box has ten per cent (10%) more ballots according to the total number of registered voters in that precinct (past practice of GEC to provide +10% to each precinct). Ensure that each ballot box is labeled properly accordingly to the precinct and stock code.[¶]

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PRE-ELECTION DAY PREPARATION

Prior to an election cycle, the GEC shall order a sufficient number of ballots to cover the Primary, General, and possible Run-off Elections. Ballot orders should be made at the start of the fiscal year to ensure the ballot stock will be received well in advance of upcoming election.

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Ballot Design/Name Placement on Ballot

The ballot layout shall be submitted to legal counsel to ensure compliance with the requirements of Title 3 GCA. Once reviewed, the ballot design and layout shall be forwarded to the GEC Board of Commissioners for approval and adoption.

Candidates will draw numbers at random to determine the order in which their name will appear on the ballot. Each candidate shall have the opportunity to review and verify how their name and additional identifiers will appear on the ballot. Any corrections or adjustments may be made during the ballot placement drawing.

Deleted: The ballot layout is developed by the Guam Election Commission based on Title 3 GCA specifications. The ballot layout is then submitted to Legal Counsel for review and to the Board of Commissioners for approval. Only upon approval of the ballot layout can the order of the names on the ballot be drawn. ¶ numbers at random to determine the order in which their name will appear on the ballot. Any changes to the way their name/nickname is to appear on the ballot shall be done at this time. ¶

SOURCE: Law governing 3 GCA § § 7105 & 7106

Ballot Printing

The ballot printing process shall only commence once the GEC Board of Commissioners has approved the ballot layout. Upon approval of the ballot layout, the Executive Director shall approve the ballot layout for printing.

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Deleted: The completed ballot layout is to be forwarded back for the Executive Director's approval to ensure that it conforms to the Election Code of Guam and that all Board specifications have been met.

Proofing

- The ballot used is the current form
- The ballot contains only the offices up for election
- All office titles are correct, spelled correctly, and in the correct order
- All candidates' names are spelled correctly and are in the correct order
- The form of each candidate's name reflects the candidate's desire as indicated on the Candidate's Information Card
- The Guam Election Commission's Executive Director will approve final ballot proof before print.

Printing

- The number of ballots printed shall be two percent (2%) greater per precinct than the number of registered voters at the time of printing.
- One hundred (100) ballots shall be reserved for absentee and early voting.
- Access to electronic ballot files shall be restricted to authorized staff only.
- All printed ballots shall be hand-counted, with the total and print date recorded in a log.

Deleted: <#>Transport the blank ballot stock, ink, oval transparency provided by the election supply vendor, inventory sheet, highlighters and pens up to the printing location. ¶ inventory sheet. ¶ printing, it is placed back in its box to dry and the end time will be noted on the inventory sheet. ¶ The number of damaged ballots, if any, shall be recorded in the inventory sheet. ¶ All the ballot stock that was brought up to the print shop, the film and the used plates will be transported back to the GEC office and secured. No ballot stock, files, electronic files, films, inks, etc. will be left at the printers unattended. ¶ that requires printing will be brought back up from GEC office to printers for completion. ¶

NOTE: There shall be at least two (2) GEC Staff present during the Proofing and Printing process at all times.

Deleted: SOURCE: Best Practice since 2004 ¶

Completion of Printing

PRE-ELECTION DAY PREPARATION

- When all of the printing is complete, 100 ballots from each precinct will be placed in separate folders and labeled accordingly. These ballots will be used for absentee/early in-office voting. 5 ballots will be used as a test deck for the public testing of the tabulators the night before an election.
- The remaining ballots will then be counted, packaged and labeled according to their precincts, corresponding stock numbers, and quantity.
- The packaged ballots will be placed in their ballot boxes and secured in the GEC's main office until distribution.
- Once the printing of all ballots have been completed, the GEC shall prepare and present to the Board a final inventory sheet reporting on the total number of ballots printed to include: damaged ballots, ballots apportioned for absentee, ballots apportioned for coding, ballots apportioned for test election, and ballots to be distributed to each precinct.

Printing of Provisional Ballots

The Commission will provide provisional ballots to each precinct in accordance with 3 GCA § 14102. The provisional ballot is printed with a different color ink and paper with the words "Official Provisional Ballot" printed across the top.

SOURCE: Rule governing 6 GARR § 1401

Pre-Election Ballot Security

The Commission shall designate a secured area in which the ballots, both marked and unmarked, will be stored. The secured area should have an access control system that maintains a log of who accesses the area. Access will only be granted when there are at least two staff members scan into the system. At no point in time should the area be accessed by only one staff member. This area should also have 24-hour CCTV monitoring.

Election Day Supplies and Materials

The Commission shall prepare a supply inventory sheet (Form EC-12) listing the materials delivered to each precinct. The supplies and materials should include but not be limited to:

- Election Manual highlighting the duties and responsibilities of the precinct members
- Election Headquarters contact information
- Ballot Box(es)
- Precinct Signs
- Voter Signature Roster
- Sample Ballots
- Voter Instruction
- Voting Booths

SOURCE: Rule governing 6 GARR §§§ 1201, 1210 & 1216 (1)

Ballot Counting Devices

Deleted: 10 ballots from each precinct will be placed into a separate stack. 5 of these ballots will be used for the test desk that will be sent to the election supply vendor to finalize the programming of the optical scanners that will be used to tabulate all cast ballots. The other

Deleted: (Past practice was to give 10% more ballots to each precinct.)

Deleted: SOURCE: Board Policy 6/3/1974

Deleted: The Commission shall designate a secured room under lock and key at its main office to house all printed and unprinted ballots and all other ballot printing materials. Access to the secured room shall be limited to GEC staff. Upon entry, the following guidelines shall be adhered to:
for entry shall be recorded on the ballot room log sheet.
No staff member shall be permitted to enter the ballot room alone.
except upon direction by the executive director.

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Deleted: The Commission shall issue each precinct a roster of all registered voters in that precinct. The roster shall contain the voters' names, dates of birth, and mailing addresses

PRE-ELECTION DAY PREPARATION

Prior to any election in which the GEC's ~~ballot scanner and tabulators~~ are to be used, the GEC will contact the tabulator vendor to seek assistance in the preparation of the machines. The vendor should send a certified technician to ensure that each machine is operating properly and efficiently. GEC staff will take inventory and replace any supplies needed (compressed air can, rubbing alcohol, cotton swabs, paper, etc.) Each machine used should have an accompanying maintenance log that should include the date, a description of the work performed on the machine, and who performed the work.

Deleted: optical scan ballot tabulators

▪ Inspecting Ballot Boxes and Supply Boxes

Prior to any election, GEC staff should verify the total number of official ballots issued to the various precincts and ensure that each ballot stock number corresponds to the correct precinct labeled on the ballot box. GEC staff should input all pertinent information on the EC-16 form, the Ballot Box/Supply Box/Ballot Transfer Record form. The supplies should be crossed-checked using the Supply Inventory Sheet, Form EC-12.

▪ Election Return Center Preparation

The Commission shall maintain within Guam an Election Return Center for the tabulation of votes and publication of returns.

SOURCE: Law governing 3 GCA § 11108

Entrance/Exit

There should be a designated area for precinct officials to enter and exit the tabulation center. At the entrance, there should be a check-in station utilized by GEC staff to verify all officials entering.

Ballot reconciliation section

There should be ample space for precinct officials to review and account for all ballots and supplies issued to them in the morning. There should also be a designated area for GEC staff to assist any precinct officials in this process should they have any questions regarding the process.

Supply Return Section

There should be a designated area for the GEC staff to ensure that all supplies issued are returned to the GEC. This area should have sufficient space to store the supplies during the tabulation process.

Tabulation Section

The area designated for tabulation should have limited access to only the GEC Commissioners, staff, and deputized tabulation clerks. There should be a designated area within the tabulation section for precinct officials to surrender all cast ballots and for GEC officials to acknowledge receipt on the chain of custody form issued to the officials in the morning.

PRE-ELECTION DAY PREPARATION

If it is determined that the GEC will use its mechanical tabulation equipment, there should be sufficient power sources to run the machines. These power sources should be on different power circuits to prevent overloading the circuit and compromising the tabulation process.

There should also be a designated area for the GEC Board of Commissioners to convene a meeting to discuss Election Day matters and resolve ballots with any issues.

Ballot Replication Section

There should be a designated area for GEC Commissioners to meet to discuss what actions are to be taken regarding questionable and damaged ballots. The Ballot Replication Section shall be within the tabulation section in plain view. The following supplies and materials shall be provided in the ballot replication section:

- A ballot control log
- Unmarked ballots for each precinct
- Empty ballot box with lock and key
- Envelopes

Best Practice since 2000

Observation Section

There should be a restricted area for designated political party officials and media outlet members to observe the tabulation process.

Security of Election Return Center

Access to the Election Return Center should be restricted to authorized personnel and representatives of the two political parties and media partners. The Executive Director shall solicit the assistance of the Guam Police Department for the security of the Election Return Center.

Test Election – Security and Testing of Ballot Counting Devices

Prior to any Election in which ballots will be tabulated using an electronic scanner, the GEC will conduct public logic and accuracy test to ensure there are no errors in the programming. The executive director shall inform the chairpersons for each political party as well as invite the public to the test.

Logic and Accuracy Testing procedures

To test scanner accuracy, GEC staff shall prepare a test deck using at least five (5) pre-marked ballots per precinct. The ballots will be hand-tabulated, and results compared to the scanner's output.

Public Testing of Scanners

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Deleted: Notice of Test Election

The executive director shall inform the chairpersons of each political party of the GEC's intent to conduct a test election. Tabulators are to be used and before any ballots are to be cast, the Commission shall conduct a Test Election in which GEC officials, members of each political party, and media shall witness the test of the tabulation component by engaging the printing mechanism and securing a printed result showing a zero count for every candidate, initiative, and referendum.

GEC staff shall randomly mark at least five ballots from each precinct with over votes, under votes, and write in votes. The staff is to have a manual tabulation of the results to compare with the machine-tabulated results. If an error is detected during the test election, the executive director shall determine the cause and correct the error.

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PRE-ELECTION DAY PREPARATION

- 1 Prior to scanning any ballots, the operators of each scanner will clear all results and print the
- 2 results showing zero (0) votes to be certified by the GEC board. The test deck ballots will then
- 3 be scanned, and compared to the hand-tabulated results. The board shall certify that the
- 4 results match. Media and party representatives may observe the entire process.

ABSENTEE VOTING

▪ Qualifications for Voting Absentee

Any qualified voter of the territory of Guam may, as provided in this chapter and subject to the conditions of this section, vote at an election by absentee ballot if he/she will be prevented from personally going to the polls and voting on Election Day because of:

- a) The conduct of his business or due to other necessary travel, or
- b) Illness or physical disability, or
- c) Service in the Armed Forces or Merchant Marine of the United States, or
- d) Employment with the government of Guam, or
- e) Attendance at an institution of learning, or
- f) Employment in the service of the United States or any Federal agency, or
- g) Accompanying a spouse who is engaged in any activity listed (a-f), above

SOURCE: Law governing 3 GCA § 10101

The Commission decided that residents of Guam leaving the island on a vacation would be considered eligible to vote via absentee ballot under “necessary travel” as stated in 3 GCA §10101

SOURCE: Board Policy 6/3/1974

▪ Classifications of Absentee Voters

For reporting purposes, all Absentee Applicants are categorized under one of the following:

Off-Island Voters are any qualified voters who is not physically present on Guam to vote at the polls on Election Day due to the conditions provided in 3 GCA §10101

UOCAVA Voters are (1) members of the uniformed services on active duty and the merchant marine who, because of their membership in the service, are absent from their place of residence, and are otherwise qualified to vote; (2) the spouses and dependents of these uniformed services voters who are absent due to the member's active duty or service and (3) qualified voters or merchant marine who reside outside of the United States.

SOURCE: Law governing 2009 MOVE Act

Early In-Office Voters are any qualified voters who may vote by Absentee Ballot in the Commission's office no more than thirty (30) days or less than five (5) day before the day of election, in accordance with 3 GCA §10107

Homebound Voters are any qualified voters on Guam who is unable to physically present himself at the poll on Election Day due to conditions in 3 GCA §10101 (b).

▪ Absentee Application

EC-23 Form – Absentee Application

This form is used by the GEC as a request for an Absentee Ballot for those unable to be at the polls on Election Day. In the event that the applicant is not a registered voter, the absentee application shall serve as a registration form. The applicant application shall be duplicated and attached to the applicants Affidavit envelope upon receipt by the GEC.

ABSENTEE VOTING

SOURCE: Law governing 3 GCA § 10103

Standard Form 76 – Federal Post Card Application

This Form is issued by the United States Postal Service, Federal Election Commission and any Voting Officer of the Armed Forces of the United States and will be completed by Federal Government employees, Military personnel and their dependents. The Standard Form 76 may be used as a registration form if the applicant is not registered.

SOURCE: Board Policy 10/16/1984

▪ **Ballot Inventory**

The Commission shall maintain an inventory detailing the amount of absentee ballots received from the printers, the amount of absentee ballots used, unused, and spoiled during the Off-island, Homebound, and In-Office voting process.

SOURCE: Public law 31-61 Section 3 (b)(3)

▪ **Form of Absentee Ballot**

The absentee ballot may, but need not be, in the same form as the regular ballot used in the election. For off-island absentee voters, uniformed and overseas citizens voting absentee, the Commission shall inform such absentee voters of the option to request to receive an absentee ballot electronically by email transmission and provide electronic mail and cost free telephonic contact information to such voters so that those voters may make the request to the Guam Election Commission. Absentee ballots shall be mailed or transmitted by email to absentee voters in the manner requested, within forty-eight (48) hours of request or within forty-eight (48) hours, except Sundays, of certification of the ballots, whichever is later.

SOURCE: Law governing 3 GCA § 10108

▪ **Review**

All absentee applications received by the GEC shall be reviewed by GEC staff and, upon review, are subject to approval or disapproval by the Executive Director. Any absentee applications that are rejected are to be presented to the GEC's Board of Commissioners for further review.

SOURCE: Board Policy 10/2/1974

▪ **Early In-Office Voting**

The Commission shall not more than thirty (30) days nor less than five (5) days prior to any election conduct Early In-office voting for any voter wishing to vote by way of absentee as prescribed in 3 GCA §10101. The commission shall determine the location, time, duration, and specific days on which Early In-office voting will be held.

SOURCE: Law governing 3 GCA § 10107

Early In-Office Security

The Guam Election Commission (GEC) shall solicit the assistance of the Guam Police Department or any other public safety agencies to ensure the security and safety of ballots and voters. The requested services shall include but not limited to:

ABSENTEE VOTING

- a) Providing security escorts for the transportation of marked and unmarked ballots.
- b) Stationing security personnel at vote centers to maintain order and voter safety.

The GEC shall coordinate with the designated law enforcement agencies in advance to confirm security and ensure proper implementation of safety measures throughout the early in-office voting period.

Early In-Office Notice

The Guam Election Commission shall prior to the start Early In-Office period publish in a general circular and on its website a notice of Early In-Office Voting. The Notice shall include but not limited to:

- a) Location of vote center
- b) The days and times when Early In-Office will be available
- c) Deadline for Early In-Office Voting
- d) Any additional information relevant to Early In-Office Voting

The notice shall be made with sufficient time to inform the public and allow for participation during the Early In-Office period.

Log Book

The Commission shall maintain a log of all Early In-Office voters who cast their absentee ballot with the Commission. The Log shall contain the voter's:

- Name;
- Date of Birth;
- Signature;
- Mailing Address;
- Voting District; and
- Date the Voter Voted

Early In-Office Application

Any voter intending to vote during the Early In-Office Voting period must complete an application to vote, in accordance with 3 GCA §10107(a). The application must prominently display the following statutory provisions:

- a) 3 GCA § 8203 – Unlawful Registration as a Crime
- b) 3 GCA § 8216(b) – Fraudulent Voting
- c) 3 GCA § 8126(d) – Fraudulent Voting

Election officials must ensure that each voter completes and submits the application before receiving a ballot. The completed applications shall be properly recorded and stored in accordance with the GEC's retention schedule.

SOURCE: Law governing 3 GCA § 10107 (a)

Early In-Office Affidavit

ABSENTEE VOTING

Any voter intending to vote during the Early In-Office Voting period must complete an affidavit to vote, in accordance with 3 GCA §10107(b). The application must prominently display the following statutory provisions:

- a) 3 GCA § 8216(b) Fraudulent Voting
- b) 3 GCA § 8126(d) Fraudulent Voting
- c) 3 GCA § 10107 Early In-Office Absentee Voting
- d) 3 GCA § 10111 Marking Ballot
- e) 3 GCA § 10112 Taking and subscribing Oath
- f) 3 GCA § 1113-Officers Before Whom Voter May Appear

Election officials must ensure that each voter completes and submits the affidavit before receiving a ballot.

▪ **Vote Center**

The Guam Election Commission shall solicit the use of any public or private facility to serve as the voting location during the Early In-Office period. Any solicitation of a private facility shall be done in accordance with the procurement laws of Guam. The facility should adhere to the minimum criteria for polling place and polling place accessibility as outlined in the "site inspection" section of this manual.

Accessible Voting at Vote Center

Accessible Voting shall be available for individuals who are unable to physically enter the polling site. The Guam Election Commission (GEC) must designate an area within the Vote Center for Accessible Voting operations. This area must be near a parking location to ensure convenience and ease of service for voters requiring accommodations.

Procedures:

1. The voter arrives and parks in the designated accessible voting stall.
2. An election official verifies the voter's identity and takes their identification to the Accessible Voting operation area for processing.
3. Two election officials retrieve the voter's ballot, Early Voting Application, and Affidavit Envelope, then escort these materials to the voter's vehicle.
4. The voter shall verify the information on Early Voting Application and Affidavit Envelope is complete and accurate.
5. Upon completion of the Early Voting Application and Affidavit envelope, the Election official reads aloud the ballot instructions and then allow the voter mark their ballot from within their vehicle.
6. Once voting is complete, the ballot is placed inside the Affidavit Envelope, which an official seals and signs the Affidavit envelope in front of the voter.
7. Two officials shall escort the sealed Affidavit Envelope containing the voter's marked ballot to the Accessible Voting operation area to be placed into a locked ballot box for secure storage.

All steps must follow election security protocols to ensure the integrity and confidentiality of the voter's ballot.

ABSENTEE VOTING

▪ Homebound Voting

The Commission shall not more than thirty (30) days up to the closing of the polls on Election Day conduct Homebound voting for any voter wishing to vote by absentee as prescribed in 3 GCA §10101 (b).

Homebound Representative

The Commission shall solicit to the chairpersons of each political party the names of the representatives who is to accompany the Deputized Homebound Officials. The Homebound Voting process shall be conducted with one (1) deputized homebound official and one (1) Homebound Representative from each political party. If in the event a political party representative is unable to witness the Homebound voting process, two (2) Deputized Homebound Officials may carry out the Homebound voting process.

Guideline for Homebound Representatives

The following guidelines for Homebound Representatives shall be strictly adhered to during the Homebound Voting process. Homebound Representatives:

- Shall be identified along with the political party they represent;
- Shall not wear any political paraphernalia in support of or against any candidate or initiative question;
- Shall not interfere at any time with the duties of the Deputized Homebound Official;
- Shall not solicit a vote or speak with a voter regarding the marking of their ballot; and
- Shall not have any access to marked or unmarked ballots

Failure to comply with any of these rules, shall result in the immediate removal of the Homebound Representative or Deputized Homebound Official.

Solicitation of Hospitalized Voters

Prior to any election, the Commission shall solicit from the Guam Memorial Hospital, U.S. Naval Hospital Guam, and the Guam Regional Medical Center a list of patients who will be prevented from going to the polls on Election Day due to an illness or disability.

SOURCE: Best practice since 2000

▪ Spoiled Ballot Procedures

Any voter who spoils his or her ballot can request another ballot. Before issuing the voter another ballot, however, the GEC Official or Deputized Homebound Official are to take the spoiled ballot from the voter and deface it by writing a large "X" in ink and place it into the designated (partisan or non-partisan) Spoiled Ballot Envelope. All spoiled ballots shall be counted and placed and sealed in an envelope endorsed "Spoiled Ballots, all spoiled ballots received from In-Office or Homebound voters shall be recorded and placed under lock and key after every business day.

SOURCE: Law governing 3 GCA § 9138

Any voter who spoils a ballot may return it to a member of the precinct board and receive another in its place, one (1) at a time, not to exceed three (3).

ABSENTEE VOTING

SOURCE: Law governing 3 GCA § 9137

▪ Security of Absentee Ballots

Immediately at the end of every business day, the Commission shall secure under lock and key with limited access all Off-island, Homebound, and Early In-Office absentee ballots received that day. A log shall be maintained detailing the names of the absentee voters and the date in which their ballot(s) were received.

Not less than one (1) day prior to any election, the Commission shall record all absentee ballots received on the Absentee Ballot Transfer Receipt Form EC-15 to be distributed to the precincts.

▪ Absentee Ballots Received Ten (10) Days After

The Commission shall continue to receive off-island absentee ballots up to the close of business on the tenth (10th) day after an election. The Commission shall continue to keep a log for all absentee ballots received during the ten (10) day period, detailing the names of the absentee voters and the date in which their ballot(s) were received. All ballots received shall be stored under lock and key with limited access until they are needed for tabulation.

SOURCE: Law governing 3 GCA § 10114

▪ Status Reports

Absentee Status Report to Voters

The GEC shall prepare a report on the status of absentee voters' applications. The report shall include application receive date(s), approval or disapproval, and ballot status (i.e. ballot sent, ballot received). The report shall be made available for applicants to review.

Should an applicant's application be disapproved or pending information, the GEC shall contact them within forty-eight (48) hours informing them of their application status.

Status Report on Absentee Applications and Ballots (EC-25)

This is a report that shows the number of Absentee Applications that have been received, approved, pending and requests that are canceled. It also reports the number and type of ballots sent out to the applicants. (The report will consist of Off-island, In-Office, and Homebound applications and ballots).

ELECTION DAY

▪ Dates of Election

Primary Election

The primary shall be conducted at the polling place or places determined by the Election Commission in each district on the first Saturday of August in every even-numbered year.

SOURCE: Law governing 3 GCA § 15201

General Election

The General Election is held throughout Guam on the Tuesday next after the first Monday in November in each even-numbered year.

SOURCE: Law governing 3 GCA § 1106

Runoff Election

Runoff Election means an election held subsequent to a general election pursuant to the provisions of § § 1422 and 1712 of Title 48 of the United States Code.

SOURCE: Law governing 3 GCA §1111

Upon the Commission determining that a runoff election is required, the Commission shall order and conduct a runoff election to be held on the fourteenth (14th) day following the date of the election which precipitated the need for the runoff. The Commission shall publish notice of the runoff in a newspaper of general circulation on Guam at least four (4) times, with the last one being issued on the runoff date.

SOURCE: Law governing 3 GCA § 13105

Postponement of an Election

If for some serious cause resulting from any natural phenomenon, or act of God, or of public enemy, it become reasonably impossible to hold any election duly scheduled on Guam as a whole, or in any municipality or municipal division, I Maga'lāhen Guåhan or I Liheslaturan Guåhan with the advice and consent of I Liheslaturan (the Legislature), upon recommendation of the Commission, may postpone any such election therein for such time as they may deem necessary, but in no event shall such postponement exceed thirty (30) days from the date when such election should have been held. If additional time is necessary, the election may be postponed pursuant to the manner described in this Section.

SOURCE: Law governing 3 GCA § 5103

Proclamation for Special Election

At least thirty (30) days before any special election, I Maga'lāhen Guåhan shall publish an election proclamation, and transmit copies to the Commission. The proclamation shall contain a statement of the date and time of election, and of the office or offices to be filled.

SOURCE: Law governing 3 GCA § 5104

▪ Delivery of Ballots, Machines, and Supplies

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A Ballot Box/Supply Box and Ballot Transfer Record (Form EC-16) must accompany ballot boxes to each precinct. The Precinct Leader, or in his or her absence, any of the four precinct clerks, shall immediately conduct an inventory of the number of ballots received and compare the total number counted with the number shown on Form EC-16. If for any reason the numbers do not agree, the official shall show the actual count received on Form EC-16. The Form EC-16 must be returned to the Commission's voter/ballot clearance officer at the tabulation center. The Commission shall also prepare a Supply Inventory Sheet (Form EC-12) listing materials delivered to each precinct. The Precinct Leader is designated, or, in his or her absence, any of the four precinct clerks, to receive and sign the receipt for the materials sent by the Commission. A Precinct Official shall conduct an inventory. If for any reason the numbers in Form EC-12 differ from the inventory, the precinct board shall show in the Form EC-12 the actual numbers of supplies received. The Form EC-12 shall be submitted to Election Commission staff at the tabulation center.

SOURCE: Rule governing 6 GARR § 1201

Roster and Tally List

The Roster and Tally list provided to each precinct shall contain the following voter information:

- Name;
- Date of Birth;
- Address;
- A line designated for the voter's signature.

Deleted: <#>Gender; and

The Commission may, at its discretion, provide each precinct with a machine or electronic device containing a digital copy of the Roster and Tally list, provided that the device is capable of capturing and recording a voter's signature in a secure and verifiable manner.

SOURCE: Rule governing 3 GCA § 9116

▪ **Polling Places**

Setting up Polling Places

Before the opening of the polls, precinct officials should take the time to ensure that the polling place is set up correctly in accordance with the layout provided by the Guam Election Commission and that they have all the necessary supplies. The way a polling place is set up affects how easy it will be for precinct officials to perform their tasks and for voters to cast their ballots. Proper polling place set-up is vital to ensuring that Election Day runs as smoothly as possible.

- *Voting Booths*
 - Booths are required to be placed apart from other activities such as checking in and registering.
 - All booths must be placed together in the same vicinity, including booth(s) containing the accessible voting equipment.
- *Signs*

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- Precinct officials are to post one (1) Voter Instruction sign inside each voting booth.
- The following signs shall be posted throughout the precinct:
 - Precinct Signs (*to be posted at the entrance of the precinct)
 - Voter Instruction
 - Sample Ballot (*to be posted at the entrance of the precinct)
 - Voter Assistance
 - 100% I.D. Check
 - No Media Beyond This Point (*to be posted at entrance of the precinct)
 - Provisional Ballot Guidelines
 - No Loitering
 - No Electioneering
 - No Smoking

▣ *Barricades*

A guard-rail, rope or other form of barricade shall be assembled, constructed or arranged and placed so that only those persons who are inside the barricade can approach within six (6) feet of the ballot boxes, booths, tables or other facilities set up for voting.

SOURCE: Law governing 3 GCA § 9113

▣ *Exhibiting the Ballot Box*

Before receiving any ballots, the precinct board shall, in the presence of any voters already assembled at the polling place, display the locked ballot box. Thereafter, the ballot box shall not be removed from the polling place or from the presence of any voters until the polls are closed.

SOURCE: Law governing 3 GCA § 9115

Prohibited Activities

Members of the Precinct Board shall ensure that the following prohibited activities are adhered to within the precinct:

- ▣ Wearing any election paraphernalia (i.e. shirts hats, buttons, etc.) related to candidates, parties, or referenda that are intended to influence the election.
- ▣ Interacting with voters while in the voting booth except when asked to provide assistance in marking their ballot.
- ▣ Watching voters mark their ballots
- ▣ Having conversation about candidates, parties or ballot questions
- ▣ Using cellphones for voice calls while in the voting area
- ▣ Using video or still cameras to record how any voter has voted
- ▣ Solicitation in the voting area

SOURCE: Law governing 3 GCA § 9111

Deleted: <#>Voter Listing

The Commission shall issue each precinct a roster of all registered voters in that precinct. The voter listing shall contain the voters' names, dates of birth, and mailing addresses.

shall be prepared by the commission, and provided to each precinct, strictly for the use of voters who may want to verify their registration. The indices must be placed where voters approaching the precinct may verify their registration. These indices are not for use by political party poll watchers.

SOURCE: Rule governing 6 GARR § 1206

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Electioneering

Electioneering is any activity intended to influence voting at an election. No person shall do any electioneering on Election Day within one hundred (100) feet of any entrance and/or exit of any polling place. In the case of a school, the entrance is hereby defined as the entrance gate, if the school is fenced. The Commission may, on a case-by-case basis and limited to the election then forthcoming, create an exception to this Section through resolution in order to safely conduct the election. Notices identifying the newly set perimeter also shall be clearly posted at the polling place(s) affected.

SOURCE: Law governing 3 GCA § 9112

Solicitation of Votes at Polling Place Prohibited.

Enforcement of 3 GCA § 9112 rests with the Precinct officials and the Guam Police Officer assigned to the precinct. Anyone who has actual knowledge of any person soliciting votes on behalf of any candidate or speaking against any candidate should report the violation to a member of the precinct board. "Polling place" refers to the whole area where voting takes place including entire grounds of schools or other public buildings utilized as a polling place.

SOURCE: Rule governing 6 GARR § 1209

Absence of Precinct Official

In the event a Precinct Clerk or the Leader fails to appear on Election Day, a precinct official should immediately notify the Commission for the vacancy to be filled. The Precinct Leader shall use Form EC-18, Record of Poll Status / Precinct Official Report, to document the name of any Precinct Official who fails to report on Election Day, record the substitute's name, and make notations regarding any unusual situations that may arise. (Form EC-18 is also the form to document the time the polling place was declared open.) The Precinct Leader shall also record in the Precinct Log Book the name of the absent precinct official and the name of the person who filled that vacancy.

SOURCE: Law governing 3 GCA § 9117

▪ **Before the Polls Open**

All Precinct Officials shall report on Election Day to their assigned precincts no later than 6:00 a.m. As polls will be open an hour after arrival at the polling place, it is imperative that Precinct Officials work diligently and cooperatively as a team to be ready at 7:00 a.m. when voting officially begins.

- The assigned transport officer or the accompanying Guam Police Officer will hand to each precinct two (2) ballot boxes and a sealed supply box. If the ballot boxes and the sealed supply box are not delivered by 6:30 a.m., a Precinct Official must call Election Headquarters immediately. In this case, Precinct Officials can anticipate a delay in declaring the polling place open and should be prepared to document the reason or cause for any delay.
- A Ballot Box/Supply Box and Ballot Transfer Record (Form EC-16) must accompany ballot boxes to each precinct. The Precinct Leader, or in his or her absence, any of the four precinct clerks, shall immediately conduct an inventory of the number of ballots

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received and compare the total number counted with the number shown on Form EC-16. If for any reason the numbers do not agree, the official shall show the actual count received on Form EC-16. The Form EC-16 must be returned to the Commission's voter/ballot clearance officer at the Election Return Center.

- The Commission shall also prepare a Supply Inventory Sheet (Form EC-12) listing materials delivered to each precinct. The Precinct Leader is designated, or, in his or her absence, any of the four precinct clerks, to receive and sign the receipt for the materials sent by the Commission. A Precinct Official shall conduct an inventory of all supplies and materials received. If for any reason the numbers in Form EC-12 differ from the inventory, the precinct board shall show in the Form EC-12 the actual numbers of supplies received. The Form EC-12 shall be submitted to Election Commission staff at the Election Return Center.

SOURCE: Rule governing 6 GARR § 1201

- Precinct Officials must wear identification badges at all times. There will be a badge for each Precinct Official. Extra badges shall be available for substitute Precinct Officials if necessary.

Counting Supply of Ballots:

- Retrieve the Ballot Inventory Sheet Form EC-13 and Ballot Inventory Sheet (Provisional) Form EC-13P.
- Retrieve ballot packages and place aside with Forms EC-13 and EC13P. Packages are:
 - One (1) labeled Partisan;
 - One (1) marked Non-Partisan;
 - One (1) labeled Provisional Partisan; and,
 - One (1) marked Provisional Non-Partisan.
- Open the package labeled Partisan and count the number of ballots in stacks of 25 (this may make it easier in the event a second count is necessary). Compare the total counted to the number shown on Ballot Box/Supply Box and Ballot Transfer Record Form EC-16. Any difference between the precinct count and that shown on Form EC-16 should be entered on Form EC-13. If there is no difference, enter the count. It is **important** that all five precinct officials attest to the count. Place partisan ballots aside.
- Repeat the same process outlined in "Counting supply of ballots" for the Non-Partisan, Provisional Partisan, and Provisional Non-Partisan ballots. Again, all five precinct officials must attest to the number of ballots received and counted. Make certain to record the numbers on appropriate lines in PART I(A) of Partisan Form EC-13, Non-Partisan Form EC-13 and Provisional Form EC-13P, and Part III(D) of Provisional Form EC-13P.
- Any **Absentee Ballot Envelopes** from voters received by the GEC before Election Day will be delivered in the supply box. Count the number of Absentee Ballot Envelopes received. Verify the count against the number indicated on the Absentee Ballot Transfer/Receipt Form EC-15. Record the number of Absentee Ballot Envelopes

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received on Part I (B) of Form EC-13. GEC presumes that all absentee ballot envelopes contain ballot(s). Securely place absentee ballot envelopes back in the supply box. Any Absentee Ballots received by GEC throughout Election Day will be delivered to the respective precincts.

If printed ballots are available, precinct officials may count and verify the total number of unused ballots assigned to them on election day during the precinct official trainings. Each official must attest to the accuracy of their count by signing a verification form. All counted ballots for each precinct will be packaged together with the signed attestation to ensure accountability and custody.

▪ Opening the Polls

The Precinct Leader must ensure everyone is at his or her assigned place and ready to receive voters. The Precinct Leader will record the time he/she declared the polling place open, and the names of any substitute Precinct Official(s) on the Record of Poll Status / Precinct Official Report EC-18. Barring any delay and promptly at 7:00 a.m., the Precinct Leader will proclaim clearly and loudly, "THE POLLS ARE OPEN." The Precinct Leader shall display the empty ballot boxes to voters already present before proceeding to lock the boxes before the first ballots are cast. Ballot boxes shall remain locked throughout Election Day, and shall not be removed from the polling site until after the polls close.

▪ Voting Procedures

The GEC continually works to maintain public confidence in the democratic process and to ensure that Election Day runs as smoothly as possible. To promote uniformity in the electoral process, the GEC has developed voting procedures for members of the precinct board to follow as prescribed by Title 6 GARR 1216 (5).

Deleted: Public Law 31-61.

Reporting of Name and Signing of Roster

A person desiring to vote shall state his or her full name and address to the precinct officials at the polling place. After verifying the person's identity and determining that the person's name appears as a registered voter on the precinct roster, the precinct officials shall clearly and loudly announce the person's name. If no person challenges the person's right to vote, or if, after a challenge, the precinct board determines that the challenged person is entitled to vote, the person shall be required to sign the roster and then be permitted to vote. In the case of a person who is unable to sign the roster, a precinct official shall so note that fact on the roster, and two (2) other precinct board members shall initial the entry. The person shall then be permitted to vote. Any person whose right to vote is denied by the precinct board may immediately appeal the decision to the Commission and, if unsuccessful, to the Superior Court of Guam.

The GEC may, at its discretion, provide precincts with electronic devices containing a digital roster and tally list capable of securely capturing and recording voter signatures, and will establish procedures to ensure their proper use and accuracy. SOURCE: Law governing 3 GCA § 9126

Deleted: ¶

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A Precinct Clerk should courteously ask the voter for a photo identification card (ID). Verify the ID card against the information shown in the signature roster. Ask the voter to state his/her name, date of birth and mailing address.

Acceptable Forms of Photo Identification:

- Driver's license or ID card issued by a state or possession of the United States; provided that it contains a photograph and information showing name, date of birth, sex, height, eye color and address;
- ID card issued by federal, state or local government agencies or entities; provided that it contains a photograph and information showing name, date of birth, sex, height, eye color and address;
- Native American Tribal photo identification card
- School ID card with a photograph;
- Voter registration ID card; U.S. Military ID card or draft record; military dependent's ID card;
- U.S. Coast Guard Merchant Mariner card; or
- An identification card that is compliant with the provisions of the Real ID Act of 2005.

SOURCE: Rule governing 6 GARR § 1216 (5)

Once it is certified that the voter's name appears on the roster the Precinct Clerk shall announce the name of the person who is next in line to vote.

E.g.: "Juan Cruz is now voting"

Using a straight-edge ruler, the Precinct Clerk shall cross out the voter's name and data on the Original Voter Signature Roster with a red-ink ball-point pen. The Precinct Clerk will then have the voter sign on the proper line next to the voter's name with a blue or black pen.

Voter's Change of Name

If the full name or surname of any person desiring to vote has been legally changed since that person registered, that person shall report both his or her name as it was before the change, and his or her name as it is at the time of the election; provided, that the person presents to the precinct officials a legal document or other satisfactory written proof of the name change. The precinct board shall thereupon make the necessary adjustment in the register, indicating the reason for the change therein, and thereafter permit the person to vote.

SOURCE: Law governing 3 GCA § 9127

Voter Instructions

Before issuing a ballot, the Clerk should advise the voter to read the instructions printed on the ballot and also must give verbal instruction to how a voter should mark their ballot(s). The commission shall provide ballot instruction cards to each precinct.

Deleted: Once the voter's change of name has been verified, the precinct board member shall issue form EC-20A to the voter which shall then be filled out and submitted to the precinct board member. Both the Precinct member and the voter shall sign the EC-20A form. The EC-20A form is to be submitted to the Commission staff at election return center along with all other election forms. ¶

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- Precinct Officials are to explain the instructions in English or Chamorro only. When using the Chamorro language, the Precinct Official shall verbally communicate only those instructions outlined in the ballot instruction card. Any other communication with the voter is subject to penalty. After verbal instructions are completed, the Precinct Leader or Clerk should direct the voter to the voting booth.

One Ballot to Each Voter

- Only one (1) ballot or one (1) set of ballots shall be given to each voter

SOURCE: Law governing 3 GCA § 9128

Number of Persons Permitted in the Voting Booth

Booths shall not be occupied by more than one (1) person at a time, except as provided by 3 GCA § 9136. Voters shall not remain in or occupy a booth longer than is necessary to mark their ballots.

Voting in Booth

Upon receiving a ballot or set of ballots, the voter shall forthwith, and without leaving the enclosed area, proceed alone to one (1) of the designated places, booths or tables provided to prepare his or her ballot.

SOURCE: Law governing 3 GCA § 9131

Immediately following certification, a voter is not permitted to leave the enclosed space until the voter has properly deposited his or her ballot(s) into the ballot box(es)

SOURCE: Rule governing 6 GARR § 1213

Spoiled Ballot Procedure

Any voter who spoils his or her ballot can request another ballot. Before issuing the voter another ballot, however, Precinct Officials are to take the spoiled ballot from the voter and deface it by writing a large "X" in ink and place it into the designated (partisan or non-partisan) Spoiled Ballot Envelope. DO NOT INSERT ANY SPOILED BALLOT IN ANY BALLOT BOX. All spoiled ballots shall be counted and placed and sealed in an envelope endorsed "Spoiled Ballots," and returned to the Election Return Center along with the roster, ballot boxes, unused ballots, and all other documents, materials and supplies at the closing of the polls.

SOURCE: Law governing 3 GCA § 9138

Any voter who spoils a ballot may return it to a member of the precinct board and receive another in its place, one (1) at a time, not to exceed three (3).

SOURCE: Law governing 3 GCA § 9137

Processing Absentee Ballots

At any time between the opening and closing of the polls on Election Day, the precinct board shall announce the absent voter's name, and compare the signature between that shown upon the application and the signature upon the affidavit. The precinct board shall determine

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if the affidavit is sufficiently executed, that the signatures correspond, that the applicant is a duly qualified elector of the precinct, and that the applicant has not voted in person at such election, and open the outer or carrier envelope and the return envelope. The board shall then deposit the unopened ballot envelope in the ballot box. Upon depositing the unopened ballot envelope in the ballot box, the board shall indicate on the signature roster next to the voter's name that such voter has voted absentee.

SOURCE: Law governing 3 GCA § 10117

On Election Day the Commission shall deliver, if there are any, absentee ballots and affidavits to the precinct(s) along with the Absentee Ballot Transfer Receipt (Form EC-15). The precinct board shall immediately take inventory of all absentee ballots received. Should the name(s) or number of absentee ballots received differ from that shown on Form EC-15, the precinct board shall record the difference on Form EC-15 and immediately notify the Commission. Form EC-15 shall be submitted to Election Commission staff at the tabulation center. The precinct officials prior to the closing of the polls shall cross check the names of absentee voters listed in Form EC-15 against the signature roster. This ensures that all absentee voters have been properly processed.

SOURCE: Rule governing 6 GARR § 1302

Any Absentee Ballot Envelopes received by the precinct must be processed early on or during the day when time permits and before polls close. (More Absentee Ballot Envelopes may be delivered by GEC anytime throughout the day.) The procedures are:

1. Members of the Precinct Board shall announce the name of the absentee voter shown on the reverse side of the absentee ballot envelope. This allows for any possible challenge of the absentee voter.

E.g. "Maria Cruz voted absentee."

2. After announcing the Absentee Voter's name, the Precinct Board Members shall find the name of the voter on the Voter Signature Roster. On the line provided for the voter's signature write in, "VOTED ABSENTEE," and strike out the voter information with a red-ink pen.
3. The Precinct Board Members, will then unseal the Absentee Ballot Envelope, remove the inner envelope and insert it into any of the ballot boxes. (The inner envelope shall not be opened) Place the empty Absentee Ballot Envelope in the supply box.

The above procedures shall be followed for each absentee ballot envelope received.

Cause for Rejected Ballots

In the event the affidavit is found to be insufficient, or the signature on the affidavit and the application do not correspond, or the applicant is not a duly qualified elector in such precinct, or the ballot envelope or return envelope is open or has been opened and resealed, or the return envelope contains more than one (1) ballot envelope with ballots enclosed, or that said voter has voted in person, such ballot shall not be accepted or deposited in the ballot box.

SOURCE: Law governing 3 GCA § 10118

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Rejected Ballots

Every ballot not accepted shall be endorsed on the back of the ballot envelope “Rejected because _____ (giving reason therefore).” such rejected ballots shall be enclosed and securely sealed in an envelope on which the precinct board members shall endorse “Defective Ballots,” with a statement of the precinct in which, and the date of the election at which, the ballots were cast. Said envelope shall be signed by the members of the precinct board and returned to the Commission at the Election Return Center after the polls close.

SOURCE: Law governing 3 GCA § 10119

Leave of Absence from Employment to Vote

Every voter shall be entitled, on the day of every election at which he or she is entitled to vote, to absent himself or herself from any service or employment in which he or she is then engaged or employed for two (2) consecutive hours between the time of opening and the time of closing of the polls. The voter shall not be liable to any penalty, nor shall any deduction be made on account of such absence, from his or her usual salary or wages, nor shall the voter be suspended or discharged from his or her service or employment. Any violation of this provision shall be reported to the Guam Department of Labor for enforcement, and may subject an employer to pay a fine. A voter who unilaterally absents himself or herself from employment for the purpose of voting shall provide to his or her employer evidence from GEC that he or she had voted during the hours of his or her absence.

SOURCE: Law governing 3 GCA § 9125

Written Evidence

Written evidence shall be provided to each voter upon request as proof that he or she had voted during the hours of his or her absence from employment. Form EC-27 shall be provided to voters and shall indicate:

- Time of Voting
- Polling location
- Precinct Number

SOURCE: Best Practice since August 2014

▪ **Assistance to Voter**

- a) A voter may request assistance in voting to the precinct board, and assistance shall be granted thereby only if a voter is blind, physically disabled, or unable to read or write.
- b) If a voter is granted assistance, the voter shall be accompanied into the voting booth by one (1) precinct official and another person designated by the voter. If a voter with a physical disability finds it unduly burdensome to enter the polling place, the ballot may be completed within one hundred (100) feet of the polling place. A precinct official shall read the ballot to the voter who shall indicate his or her choices. Such choices shall be properly marked by the attending precinct official while under the observation of the other person designated by the voter. Any registered voter who enters the public grounds containing the polling place, but for some reason is unable

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to enter the polling place itself, and who is capable of reading and marking the ballot without assistance, shall be given the opportunity to vote.

- c) Any member of a precinct board rendering assistance to a voter is hereby prohibited from revealing any of the votes cast by such voter.

SOURCE: Law governing 3 GCA § 9136

Best Practices for Assisting Persons with Disabilities

- Federal and Guam law permits voters with disabilities to be accompanied and to receive assistance by another person in the voting booth.
- Remember that all voters deserve courteous attention in exercising their right as citizens to vote.
- Be considerate of the extra time it might take for a person with a disability or an elderly person to get things done.
- Give unhurried attention to a person who has difficulty speaking.
- Speak directly to the person who has a disability rather than just to a companion who may be accompanying him or her.
- Speak calmly, slowly, and directly to a person who is hard of hearing. Your facial expressions, gestures, and body movements help in understanding. Don't shout or speak in the person's ear. If full understanding is doubtful, try writing a note to the person.
- Pre-printed signs or a notepad should be available to assist communications with deaf or hard-of-hearing electors.
- Before pushing someone in a wheelchair, ask if you may do so and how you should proceed.
- Greet a person who is visually impaired by letting the person know who and where you are.
- Provide a guiding device such as a ruler or a signature guide for signing forms.
- When offering walking assistance, allow the person to take your arm and tell him or her if you are approaching steps or inclines or are turning right or left.
- Animals that assist people with disabilities must be admitted into all buildings. Such animals are highly trained and need no special care other than that provided by the owner.

▪ **Accessible Voting**

Accessible voting is permitted only for those individuals who are not physically able to enter to vote within the designated polling area. Two Clerks are required to exit the polling area to service the Accessible voter. Procedures for Accessible voting are:

1. If an elector wishes to vote Accessible, the Precinct Clerk shall request for the identification card of the Accessible voter, and verify with the voter roster if the elector is a registered voter.
 - Once the Precinct Clerk verifies the voter's name in the voter roster, the Precinct Clerk shall announce to the precinct the name of the voter requesting to vote Accessible.

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i.e. "Juan Cruz is voting Accessible"

2. If there are no challenges, the precinct leader, accompanied by one precinct clerk, shall proceed to the designated Accessible voting area and verify that the identification provided is that of the Accessible voter.
3. The precinct leader shall have the Accessible voter sign on the Accessible/Provisional Signature Roster sheet (Form EC-28).
4. The precinct leader shall administer the voter instructions to the Accessible voter and allow the voter to vote in secret.
5. When the voter has completed his or her ballot(s), the voter shall place the ballot a security sleeve and return it to the precinct leader.
6. The precinct leader shall return to the precinct with the voters ballot inside the security sleeve and announce

i.e. "I have Juan Cruz's ballot(s)"

7. The precinct leader shall then proceed to deposit the Accessible voter's ballot(s) into the ballot box, in such a way that upholds the secrecy of the ballot. such a manner that he or she cannot see

NOTE: Poll watchers are permitted to observe the Accessible voting process.

▪ Conduct of Media

The following rules of conduct shall be adhered to by all media personnel at all polling places:

1. Video or still cameras may not be used to record how any voter has voted.
2. Contact with electors in the voting areas should be limited. This includes interacting with voters who are waiting in line to check-in and/or cast their ballots.
3. Interviews should be held outside of the voting area to ensure doors and entrances are not blocked and the voting process is not disrupted. Election officials should make sure that media is briefed about acceptable conduct. Members of the media are strongly encouraged to conduct the majority of their activities outside of the room where the election is being conducted. It is the responsibility of the election officials to deal directly with any media person who is harassing voters.

▪ Photography/Videography

Use of still video cameras in the polling area during voting hours is prohibited. This prohibition does not apply to members of the media or polling place accessibility auditors.

▪ Rules for Poll Watchers

A 'Poll Watcher' representing each of the recognized political parties on Guam is allowed to be present twelve (12) feet and within hearing distance of the Clerks in each precinct. The five (5) Precinct Officials are responsible for ensuring the policies regarding Poll Watchers are strictly enforced:

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1. Upon arrival at the polling place, the Precinct Leader will determine where Poll Watchers will be situated but at no time during Election Day can they be located or seated within the barricade or defined voting areas. In polling locations where ample space is not available, the Precinct Leader may assign Poll Watchers to be positioned outside but near an entrance and within hearing distance of the Precinct Clerks as they announce a voter's name. **Precinct Clerks must clearly and loudly state a voter's name.**
2. Poll Watchers are not allowed to enter any voting booth at any time. They are also not allowed throughout Election Day to approach the designated area where ballots are kept and where ballot boxes are positioned. Poll Watchers shall maintain a distance of twelve (12) feet between themselves and the voting area, voting booths, ballots and ballot boxes.
3. Poll Watchers are not allowed to interfere at any time with the duties of Precinct Officials and shall be subject to removal by the Precinct Leader or the GEC. Assistance in removing a Poll Watcher may be obtained from the attending Guam Police Officer assigned to the precinct after consultation with the Guam Election Commission.
4. Poll watchers are prohibited from accessing the Official Voter Signature Roster and all other official voter documents.
5. Poll Watchers shall not solicit a vote, ask to see identification documents of voters, speak with a voter regarding the marking of his/her ballot, or participate in any activity related to campaigning. Any infraction herein should be immediately reported by the Precinct Leader to the GEC or the assigned Guam Police Officer.
6. Poll Watchers are prohibited from campaigning verbally. They are also not allowed to carry or wear any campaign-related articles such as emblems, t-shirts, hats, pens, or any other campaign paraphernalia signifying or identifying a political affiliation with a particular party or candidate(s).

SOURCE: Board Policy 8/5/1986

▪ Provisional Voting

Provisional ballot is a ballot issued at the polling place on Election Day for any reason authorized by the Help America Vote Act, and other applicable federal or Guam laws granted to a person who otherwise would be denied an opportunity to vote on a regular ballot.

SOURCE: Law governing 3 GCA § 14101

Qualifications

A person who would otherwise be denied an opportunity to vote a regular ballot may vote a provisional ballot for any reason authorized by the Help America Vote Act, and other applicable federal and Guam laws, including, but not limited to, the following:

1. The person's name does not appear in the precinct signature roster which lists all registered voters within the polling area;
2. There is an indication in the precinct signature roster that the person has requested an absentee ballot, but wishes to vote at the polling place;

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3. The person is voting during polling hours that have been extended by court order; or
4. Any other reason outlined in statute.

Unless otherwise prohibited under the election code, any voter who has been challenged and not resolved may be issued a provisional ballot.

SOURCE: Law governing 3 GCA § 14103

Before Issuing Provisional Ballots

- a) Before issuing a provisional ballot the precinct board must make every effort to determine a voter's registration status and correct polling location by:
 1. Reviewing the list of all registered voters in the precinct;
 2. Reviewing the list of all registered voters in the polling area; and
 3. Contacting the Commission at its headquarters to make the final determination of voter registration status and polling location; in the event attempts to contact Election headquarters by precinct officials are unsuccessful, the Precinct Leader must document the times, the names of the precinct officials who made the attempt and the name of the provisional voter in the precinct log. Prior to executing the provisional ballot.
- b) If the voter is registered in another polling location and it is determined by both the precinct official and the voter that the voter will not reach the correct polling location in time to cast a regular ballot before polls close, the precinct official shall offer the voter a provisional ballot.
- c) To assist the precinct boards in determining a voter's registration status and correct polling location, the Commission shall provide each precinct with a:
 1. List of all registered voters in the precinct;
 2. List of all registered voters in the polling area;
 3. Directions to all polling locations; and
 4. Commission contact information so the provisional voter can ascertain the status of his or her provisional ballot
- d) Precinct board members shall inform the Commission at its headquarters of all provisional ballots issued before the close of the polls. All provisional ballots issued must be documented in detail in the precinct log which will be submitted to Election Commission staff at the tabulation center.

SOURCE: Rule governing 6 GARR § 1402

Refusal

Only when such a person refuses to proceed to the correct polling location, or, if in the shared judgment of the precinct official and the potential voter, the person will not reach the correct

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polling location in time to cast a regular ballot before polls close, shall the precinct official offer the person a provisional ballot.

SOURCE: Law governing 3 GCA § 14104

Processing Provisional Ballots.

a) If a potential voter wishes to vote but does not appear in the register, and precinct board members have exhausted all efforts to determine the voters registration status and polling location as prescribed in 6 GAR § 1402 (a), the following procedures must be strictly followed:

1. The precinct leader shall issue the voter a Provisional Ballot Affidavit Envelope to complete. The voter must fill the in required information and sign the affirmation in the presence of the precinct leader.
2. The precinct leader will write on the Provisional Ballot Affidavit Envelope the reason(s) for issuing that provisional ballot.
3. The precinct leader shall then provide the voter a ballot with the words "Official Provisional Ballot" printed at the top, along with a Ballot Envelope. The provisional voter is required to sign the receipt of the provisional ballot(s) on the back of the signature roster. When signing receipt for a provisional ballot, the provisional voter must indicate his or her name, date of birth, mailing address, residential address.
4. After receiving his or her voting instructions the provisional voter may proceed to the voting booth to vote in secret
5. The precinct official shall instruct the provisional voter to place his or her completed provisional ballot in the Ballot Envelope provided, seal it, and then insert it in the Provisional Ballot Affidavit Envelope and seal it. Precinct officials are prohibited from opening the Provisional Ballot Affidavit Envelope. A precinct official must notify the Commission headquarters after a provisional ballot is completed. The precinct official will put the Provisional Ballot Affidavit Envelope in the supply box until further instructions are received from the Commission.
6. The precinct official shall provide the provisional voter Commission contact information in the event he or she wishes to ascertain the status of his or her provisional ballot. Provisional ballots are not to be cast into the ballot boxes, unless upon the direction from the Commission headquarters as confirmed by two precinct officials.
7. At tabulation center precinct officials shall surrender all provisional ballot affidavits along with Provisional Ballot Transfer Receipt (Form EC-15P) to Election Commission staff at the tabulation center.

b) The disposition of a voter's provisional ballot must be completed and signed by the Executive Director to the Commission within ten (10) days after any election.

SOURCE: Rule governing 6 GARR § 1403

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Posting Instructions

Provisional ballot guidelines will be posted at each polling site and at the Guam Election Commission office. These guidelines will include an explanation of what a voter should do before casting a provisional ballot in order to increase the chances of the provisional vote being counted. An explanation sheet will be provided to provisional voters that defines their status, the criteria used to qualify their ballot, how the provisional voter will be contacted regarding the final disposition of the ballot, and the fact that a provisional voter may appeal the disqualification of their ballot.

SOURCE: Law governing P. L. 31-061

Security of Provisional Ballots

Completeness of Provisional Ballot Envelope. The precinct official shall ensure that all the required information is completed on the outer envelope, signed by the provisional voter in the appropriate space, and then place the envelope in a secure container.

The Secure container shall be displayed, and shall not be removed from the polling place or from the presence of any voters until the polls are closed.

SOURCE: Law governing 3 GCA § 14104 (j)

▪ Challenges

Grounds for Challenge

A person present to vote may be orally challenged by any voter of the same precinct upon any or all of the following grounds:

- a) that he or she is not the person whose name appears on the register;
- b) that he or she is not a resident of Guam;
- c) that he or she is not a citizen of the United States;
- d) that he or she is not a resident of the precinct at which he or she is voting;
- e) that he or she has voted that day;
- f) that he or she voted in another precinct; and
- g) that he or she voted in another U.S. jurisdiction.

SOURCE: Law governing 3 GCA § 9118

Examination of Person Challenged.

The precinct board shall immediately examine on oath the challenged individual and his or her witnesses, if any, together with the voter who called the challenge and his or her witnesses, if any. The precinct board may give the voter challenged and the voter who offered the challenge time to present witnesses wherever possible, but in no event shall such time be granted so as to prevent the precinct board from rendering a decision prior to the time for closing the polls.

The voter or the challenger may appeal the decision of the precinct board to the Commission. The Commission shall, as soon as possible, hear the appeal and shall examine the oaths of the

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voter and the challenger and hear the witnesses, if any. The Commission shall make its decision prior to the time for the closing of the polls. Either the voter or the challenger may appeal the decision of the Commission to the Superior Court.

SOURCE: Law governing 3 GCA § 9119

Processing Voter Challenges

The Precinct Leader shall administer the oath to the challenger, the voter being challenged and any witnesses present from both sides.

Inform the party(s) to raise his or her right hand:

- Ask, "Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"
- The response(s) must be "I do," or "Yes."
- The Precinct Leader shall have the challenger complete the Entry of Challenge Form EC-14. Similarly, the Precinct Leader shall have the voter being challenged complete the Challenge Rebuttal Form EC-14A.
- The Precinct Leader and two (2) Precinct Clerks must address the challenge immediately, and resolve the matter on-site as soon as possible. Be reminded that the challenged voter must be given the opportunity to present any witnesses or evidence in support of his/her qualifications and/or eligibility to vote.
- The three precinct officials must rule promptly in order to allow the challenged voter to cast his or her ballot if the decision is in his or her favor.
- If, on the other hand, the ruling favors the challenger, the challenged voter shall be allowed to vote Provisional Partisan and Provisional Non-Partisan ballots.
- The challenger or the challenged voter may appeal any decision by the precinct board to the Guam Election Commission using the GEC Administrative Complaint Form which can be found in the precinct binder. The Precinct Leader shall immediately notify GEC about any impending appeal.

Refusal to be Sworn or to Answer

If the voter challenged refuses to take the oath tendered, or refuses to be sworn and to answer questions regarding the matter of the challenge, he or she shall not be allowed to vote.

SOURCE: Law governing 3 GCA § 9120

Voter Challenge Procedures

The precinct board shall address any challenge by a voter for any reason cited in 3 GCA § 9118. The challenge must be duly and fully documented by the precinct board on the Entry of Challenge Form (EC- 14) which shall be surrendered to the Commission staff at the tabulation center. The appeal of the voter or the challenger must also be duly and fully

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documented by the precinct board and reported on the Challenge Rebuttal Form (EC-14A). The precinct board member(s) shall inform the Commission at its headquarters of any challenges recorded before the close of the polls.

Members of the precinct board shall inform the voter and the challenger that he or she may appeal the decision of the precinct board to the GEC board of Commissioners and that the board's decision may then be appealed to the Superior Court of Guam.

SOURCE: Rule governing 6 GARR § 1211

Absentee Voter Challenges

The provisions of 6 GARR § 1211 shall apply in the case of a challenge of a voter's absentee ballot

SOURCE: Rule governing 6 GARR § 1303

▪ Administrative Complaints

Who Can File

Any person who believes that there has been a violation, there is a violation, or a violation is about to occur of any provision of Title III may file an administrative complaint.

SOURCE: Rule governing 6 GARR § 1503

Where and When to File

All administrative complaints shall be sent to the Guam Election Commission (GEC), or delivered in person to the GEC's main office

A complaint shall be filed within sixty (60) days after the occurrence of the actions or events that form the basis for the complaint, or within ninety (90) days after the Complainant becomes aware of the actions or events, whichever is later.

SOURCE: Rule governing 6 GARR § 1505

Complaints Filed at the Precincts

Any person wishing to make an administrative complaint on Election Day may do so at the precincts.

Processing Complaints Filed at the Precincts

The precinct member shall offer any person wishing to make a complaint an administrative complaint form (Form EC-49) and notify the GEC headquarters that a complaint is being made. The precinct member shall then verify the person's identity and, in the presence of the precinct board member, the complainant shall sign the affirmation portion of Form EC-49. The precinct board member shall then notarize the EC-49 form and secure it in the supply box. All administrative complaints shall be submitted to GEC staff at the Election Return Center.

Record of Complaint

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The Guam Election Commission shall compile and maintain an official record in connection with each complaint filed. The official record shall contain:

1. A copy of the complaint, including any amendments;
2. A copy of any written submission by the Complainant;
3. A copy of any written response by any Respondent or other interested person;
4. A written report of any investigation conducted by agents of the Guam Election Commission or of any local election official, who may not be directly involved in the actions or events complained of;
5. Copies of all notices and correspondence to or from the Guam Election Commission in connection with the complaint;
6. Originals or copies of any tangible evidence produced at any hearing conducted at the request of the Complainant;
7. The original tape recording produced at any oral hearing conducted, and a copy of any transcript produced; and
8. A copy of any final determination.

SOURCE: Rule governing 6 GARR § 1506(c)

Election Campaign and Campaign Offenses

It is the duty of every voting citizen and precinct official to report any offense as listed in Chapter 8 of Title 3 GCA. It is the responsibility of precinct officials to document all complaints and ensure the complainant is given ample opportunity to complete the Administrative Complaint (EC-49) Form. The precinct official shall notify the Commission immediately following each filing of an Administrative Complaint. The Commission will take appropriate action by investigating and reporting the infraction to the Attorney General.

SOURCE: Rule governing 6 GARR § 1217

The Administrative Complaint procedures shall be in accordance with Article V of Title 6 GARR.

▪ Closing the Polls

ALL PRECINCT OFFICIALS MUST BE PRESENT FOR THE CLOSING OF THE POLLS. The following procedures are to be carried out in the closing of the polls:

- Promptly at 8:00 p.m., the Precinct Leader will declare clearly and loudly, "The polls are closed." Voters who may be waiting in line at 8:00 p.m., however, must be allowed to vote.
- The Precinct Leader shall assign a Precinct Clerk to stand at the end of the line and inform anyone arriving later that polls are closed or stop anyone who may attempt to breach the line after 8:00 p.m.
- Do not shut door(s) or window(s) even though polls have closed. a barricade shall be placed to prevent unauthorized individuals from entering.

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- Poll Watchers are not allowed within the precinct area after the polls close; they must remain on the opposite side of the barricade.

SOURCE: Law governing 3 GCA §§ 9143 & 9144

▪ After the Polls Close

All Precinct Officials within each precinct shall assemble at one table. The Precinct Leader shall ensure that all black pens are collected and put away securely and away from the table except for a red pen(s) or marker(s) provided by the Guam Election Commission. All other writing instruments on the table are prohibited.

Accounting for Ballots.

Every precinct board shall account for all ballots delivered to that precinct by returning all unused ballots which, when added to the number of ballots cast and the number of spoiled ballots returned, shall equal the total number of ballots assigned and delivered to that precinct. The Commission, upon receiving all the ballots, shall require such an accounting prior to tabulating the returns of the precinct.

SOURCE: Law governing 3 GCA § 9140

The following are procedures for securing the ballots which must be carefully followed before Precinct Officials, ballot boxes, and all documents/supplies are transported from the polling place.

▫ PROCEDURE FOR SPOILED BALLOTS

“Spoiled Ballot” means an official ballot improperly or erroneously marked and returned by a voter who, in turn, requests for another ballot.

The precinct board members shall record the number of spoiled partisan and non-partisan ballots inventory Form EC-13. The number Spoiled Provisional ballots shall be recorded on Form EC-13P

STEP 1. Remove and count all spoiled ballots contained in the SPOILED BALLOT ENVELOPE. These ballots should have already been defaced. If not, deface each spoiled ballot by writing a large “X” in ink. Record the number of spoiled ballots on Part II Line D of Form EC-13.

STEP 2. Place any spoiled ballots into the same SPOILED BALLOT ENVELOPE. Write the total number on the front of the envelope and seal with tape. Each Precinct Official must sign across the taped portion. Place the SPOILED BALLOT ENVELOPE in the supply box.

REPEAT steps one and two for any Non Partisan and Provisional spoiled ballots.

▫ PROCEDURE FOR UNUSED BALLOTS

“Unused ballot” means an official ballot not used or is left-over on Election Day.

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The precinct board members shall record the number of Unused partisan and non-partisan in the ballots inventory Form EC-13. The number Unused Provisional ballots shall be recorded on Form EC-13P.

STEP 1: Deface each unused ballot by writing a large "X" in ink and count in stacks of 25 (this may make it easier in the event a second count is necessary).

STEP 2: Record the number of unused ballots on Line E of Part II, Form EC-13. Then add Lines (D) and (E) and enter the 'Total Part II.'

STEP 3: Place defaced ballots in the envelope marked "UNUSED BALLOTS" If more than one (1) envelope is used, number each "1 of 2," and "2 of 2," for example. Record the grand total number of unused ballots on the face of Envelope No. 1. Seal all envelopes with tape and each Precinct official shall sign across the taped portion. Tape unused ballot envelopes together if there is more than one. Place the UNUSED BALLOTS envelope(s) in the supply box.

Delivery of Ballots to Election Return Center.

The locked ballot box, accompanied by the roster, all documents, all endorsements, and all ballots, including spoiled ballots, unused and defaced ballots, and rejected defective ballots shall be brought to the Election Return Center for tabulation. A representative of each political party, as authorized by the Commission, may accompany the locked ballot boxes and all other documents, supplies and materials from the precinct to the Election Return Center.

SOURCE: Law governing 3 GCA § 11107

Preparation for Departure to Election Return Center

- Collect all supplies and/or any potentially important notes you may have written. Do not destroy or discard anything.
- Be sure that all 'EC' forms are in their proper order for processing at Election Return Center. (GEC requests that precinct officials ensure the room is in order before departure.)
- Transport of all Precinct Officials, ballot boxes and all other election documents and supplies to Election Return Center shall be in Government of Guam school buses only. The use of privately owned vehicles to transport ballot boxes, supplies and all Precinct Officials to the Election Return Center is strictly prohibited. Failure to conform will result in violation of Guam's election law and may subject you to criminal charges.
- The bus will not depart for Election Return Center until all other precinct officials within the same polling site have completed their tasks and are ready to leave. Only precinct officials and the assigned police officer are allowed to be transported on the bus. Precinct Officials may arrange to depart Election Return Center using private

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transportation. The bus will return to the polling site in the event officials require transportation.

- The Precinct Leader must inform the assigned Guam Police Officer when all tasks are completed and secured and ready for transport to the Election Return Center. The five (5) Precinct Officials must accompany the ballot box at all times and shall be escorted en route to Election Return Center by at least one (1) Guam Police Officer.
- Upon arrival at the Election Return Center, the Precinct Leader must ensure that all Precinct Officials within his/her precinct remain together as processing procedures will not begin until all are present.

Election Return Center Processing Procedures

Each precinct has to clear five (5) processing stations. The processing procedures shall be in accordance with 3 GCA Chapter 11.

STATION 1 :PRECINCT OFFICIAL CLEARANCE

A GEC Clearance Officer will greet precinct members at the Election Return Center and will note order of arrival of each precinct. The Precinct Leader will be issued a "Precinct Official Clearance Sheet Form EC-42," indicating the time of arrival and names of those precinct officials confirmed to serve Election Day.

The Precinct Leader shall verify the names of those Precinct Officials present that day. All Precinct Officials must sign the EC-42 form.

The Precinct Leader will also submit Forms EC-11 (oath of office) and EC-18 (record of poll status) at this station.

- When completed, the GEC Clearance Officer will sign the EC-42.

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STATION 2 :UNLOCKING OF BALLOT BOXES

By law, only GEC officials are permitted to unlock ballot boxes. The GEC official will sign Form EC-42 at this station and will direct Precinct Officials to a ballot reconciliation table.

STATION 3 :BALLOT RECONCILIATION

The following procedures must be adhered to in reconciling ballots:

PROCEDURE A :CAST BALLOTS

STEP 1 Open the ballot box and remove all ballots including any absentee ballot envelopes.

STEP 2 Review the documents to ensure they are all OFFICIAL ballots

STEP 3 Unseal and remove any ballot(s) contained in all absentee ballot envelopes. Place ballots removed from

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absentee ballot envelopes with official ballots cast on Election Day.

STEP 4 Begin counting the number of OFFICIAL ballots. GEC encourages precinct officials to count twice (in stacks of twenty-five (25) may be easier) for accuracy. Record the number on Total Part III of Form EC-13.

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STEP 5 Place Official ballots in the envelope(s) labeled CAST BALLOTS and record the total number contained on the face of each envelope. Do not seal the envelope(s) after all counts are verified.

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STEP 6 After validation of all the counts, precinct officials can place unsealed cast ballot envelopes back into their appropriate ballot boxes.

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PROCEDURE B :ORIGINAL VOTER SIGNATURE ROSTER

STEP 1 Count the number of signatures of voters who signed the original voter signature roster including those who voted 'Absentee' and 'Accessible'. Count each page twice to ensure accuracy and record the total number of each page at the bottom left hand corner of each roster page. GEC recommends that two precinct officials also keep separate tallies of each page.

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STEP 2 Add all the numbers shown on the bottom left hand corner of each page and record the grand total of voters on line TOTAL PART IV of the EC-13 forms. Any difference in numbers may require precinct officials to repeat the counting process. The grand total number of voter signatures should correspond with the number of cast ballots as shown in Part I of Form EC-13.

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Call the attention of any GEC official if precinct members require assistance with any unresolved discrepancy.

STEP 3 The precinct board shall indicate on the last page of the roster: (1) the number of voters (2) the following wording: "We the undersigned precinct officials hereby certify that _____ (number of voters) appeared before us this ____ day of ____, 20__, and each did cast a ballot as is their right." (3) the seven, (7) precinct officials on duty shall place their signatures after the statement.

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Ballots Exceeding Number of Signatures on Roster

If it is necessary for ballots to be extracted from the cast ballots and destroyed, an account of this act, including the number of ballots destroyed, and the precinct officials giving authorization, should be

Deleted: **STEP 4** → After validation of all the counts, precinct officials can then retrieve the Cast Ballot Envelopes from the ballot boxes and seal the envelopes with tape. All precinct officials must sign over the taped portions of the envelopes and return them to the ballot boxes.

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written on the last page of the roster and also on Form EC-13 and submitted to Election Commission staff at tabulation center.

SOURCE: Rule governing 6 GARR § 1602

PROCEDURE C : SURRENDERING PROVISIONAL BALLOTS

The precinct leader after completion of the ballot reconciliation process, shall surrender all marked provisional ballots. The marked provisional ballots shall be recorded in the Provisional Ballot Transfer form EC-15P. The precinct leader shall affirm the number of provisional ballots being transmitted and a GEC official shall sign for receipt.

Once the precinct board has cleared the ballot reconciliation process and has surrendered all marked provisional ballots. The GEC official will clear the precinct board by signing the EC-42 form.

STATION 4: BALLOT BOX, SUPPLY BOX, AND EQUIPMENT INVENTORY RETURN

Please be prepared to surrender the precinct supply box and all other election-related materials to the GEC Clearance Officer at this station. Also surrender all Spoiled and Unused Ballot Envelopes. Proceed to the next and final Station #5 upon clearance.

STATION 5: TRANSFER CUSTODY OF BALLOTS

At this station the Precinct Board shall transfer custody to the GEC all OFFICIAL Cast Ballots. The Precinct Leader signs the Clearance Sheet EC-42 once all ballots are in the custody of GEC. And when all is finally completed, Precinct Officials can proceed to exit the GEC Office as directed by the Clearance Officer. Precinct officials are not allowed in the central tabulation area.

Incomplete or Ambiguous Precinct Forms

Precinct board members are prohibited from leaving the clearance section of the tabulation center until all forms and inventories are completed. In the event a problem arises after precinct officials have departed from the tabulation center, they may be subpoenaed and required to appear before the Commission

SOURCE: Rule governing 6 GARR § 1606

▪ Tabulation

Place of Tabulation

The Commission shall maintain within Guam an Election Return Center for the tabulation of votes and publication of returns.

SOURCE: Law governing 3 GCA § 11108

Ballots to be Tabulated

Only Cast Ballots that were received and affirmed from the members of the precinct board and reviewed by GEC officials shall be tabulated on Election night.

Mode of Tabulating

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The procedures for the tabulation process shall be in accordance with Title 3 GCA Chapter 11.

Ballot Not Rejected for Technical Error

The Election Commission will provide marked "Sample Ballots" of ways it anticipates voters might mark a ballot. If a voter's ballot is marked differently and rejected by the tabulator, the tally crew must hand the ballot to the Commission Resolution Committee for final determination and validity. If questions as to the validity arise in regard to a ballot, the Commission Resolution Committee may refer to the file of these samples.

SOURCE: Rule governing 6 GARR § 1604

The following procedures shall be adhered to in the event that damaged ballots cannot be read by (machine) tabulators and/or voter intent is to be determined:

- Any ballots that are to be replicated must be done by a Commissioner from each recognized political party and independent member with Legal Counsel present. Legal Counsel is to maintain a log of replicated ballots. The log shall contain the stock number and number assigned to the replicated ballot. The damaged ballot shall be sealed in an envelope with its corresponding log number written on the outside.
- The replicated ballot will then be given to the assigned (GEC Official) tabulator to be tabulated through the tabulation machine.
- All replicated ballots will be placed in a separate ballot box and secured with a lock.

Write-in Votes.

Persons authorized by the Election Commission to manually count rejected ballots shall count a write-in vote as valid only when the voting oval or other defined space provided adjacent to a write-in candidate's name is marked. Failure to mark the oval or other defined space renders the vote invalid.

SOURCE: Rule governing 6 GARR § 1605

How Votes are Tabulated

The manner in which votes are to be tabulated shall be in accordance with Title 3 GCA Chapter 11

Election Return Center Open until Tabulation Complete.

The Commission shall, on the day of the closing of the polls, keep the Election Return Center open for the tabulation of election results until each and every ballot has been received and tabulated and the results thereof made public.

SOURCE: Law governing 3 GCA § 11123

Unofficial Results Open to Public Inspection.

Immediately upon completion of the tabulation by the Commission of all of the ballots from all of the precincts, the unofficial election results shall be declared and available for public inspection.

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SOURCE: Law governing 3 GCA § 11122

Securing Election Return Center

Once it has been determined that each and every ballot has been tabulated, and the unofficial results are made public, the GEC can proceed to secure the Election Return Center. The following items shall be removed from the Election Return Center and secured at the GEC main office:

- Cast Ballots
- Spoiled Ballots
- Unused Ballots
- Unofficial results
- Tabulating Machines
- Printed tabulation results from each tabulation machine
- Precinct supplies and material

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▪ **Tabulation of Absentee and Provisional Ballots**

Place for Tabulation

The Commission shall designate and publish the time, place, and location and its intent to tabulate any absentee and provisional ballots ten (10) days after an election.

Notice of Tabulation

The Executive Director shall inform the Chairperson of each political party of the Commission's intent to tabulate the absentee and provisional ballots as prescribed in the Election Code of Guam.

Observation Section

There should be a restricted area for designated political party officials and media outlet members to observe the tabulation process.

Provisional Ballots

Within ten (10) days after any election, the Commission shall count the provisional voter's choices for every race for which the voter was eligible to vote. When a provisional voter casts a provisional ballot in the incorrect precinct, election officials shall count the votes on that ballot in every race for which the voter would be entitled to vote if he or she had been in the correct precinct.

Provisional Ballots as a Remedy for Incomplete or Deficient Registration Applications. Provisional ballots shall serve to remedy incomplete or otherwise deficient voter registration applications. In the event that a voter is denied the right to vote a regular ballot because of an incomplete or otherwise deficient voter registration application, the provisional ballot shall be used to complete said voter's application. The provisional voter shall be deemed registered as of the date of the original application. Within ten (10) days after an election, when the voter's application shall have been satisfactorily completed and deemed valid, the provisional ballot shall be counted.

SOURCE: Law governing 3 GCA § 14105

Absentee Ballots

The sealed returned envelope containing the ballot or set of ballots may be delivered to the Commission at its main office or its postal address at any time prior to the closing of the polls, and within ten (10) days after any election and by 5:00 p.m. on the tenth (10th) day after any election.

SOURCE: Law governing 3 GCA § 10114

Tabulation of Online Absentee Ballots

Unless online absentee ballots can be machine-tabulated, the Guam Election Commission (GEC) shall replicate such ballots received both before an election and within ten (10) days after an election. The replication process shall follow the same procedures outlined in this manual for "Ballots Not Rejected for Technical Error" to ensure accuracy and compliance

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with election regulations. The GEC at its discretion may to use a ballot marking device to replicate ballots

SOURCE: Law governing 3 GCA § 10114

▪ Recount

If the tabulation indicates that a difference in votes is two percent (2%) or less, the Commission shall conduct a recount of the votes. At the end of the recount all ballots shall be returned to the precinct envelopes and resealed with the majority of the Commission writing their names across the seal. The result of the recount shall immediately be made public as a recount.

SOURCE: Law governing 3 GCA § 11128

▪ Certification of Election

In every election, except the primary election, the Guam Election Commission shall not certify the election results until the GEC makes a determination on all election complaints or causes for contest brought to the attention of the GEC within fifteen (15) calendar days of the election. Thereafter, as soon as all the votes are counted and the ballots are sealed, the Election Commission shall certify the results of the election. The final certification and the seal on the ballot envelopes shall be signed by a majority of the Commission.

SOURCE: Law governing 3 GCA § 11128

Declaration of Results

Immediately after the certification of all election results, the Commission shall declare elected to each office those persons having the highest number of votes for that office.

SOURCE: Law governing 3 GCA § 11127

▪ Preparation of Election Certificates

Immediately after declaring certification of the results of any election, the Commission shall make, or cause to be made, a "Certificate of Election" for every person elected to office. The form of such certificates shall be prescribed in the Election Manual. The Commission shall cause to be placed in the hands of the elected person the original certificate which shall constitute evidence of the person's right to office. The Election Commission shall preserve a copy of such certificate for a period of five (5) years, and then may transfer the copies to the University of Guam Micronesia Area Research Center.

SOURCE: Law governing 3 GCA § 11128

▪ Publication of Ballot Inventory

The Commission shall publish the inventory of ballots ordered, printed, utilized, retained, and destroyed as prescribed in 3 GCA § 7117.

▪ Certified Election Results Posted

As soon as the Election Commission certifies the results of the election, it shall cause to be posted outside of the Election Return Center or the Commission's office a certificate showing

POST ELECTION DAY

the results of the votes cast. The final certificates shall be signed by a majority of members of the Election Commission.

SOURCE: Law governing 3 GCA § 11119

▪ **Preservation of Ballots**

The Commission shall be responsible for the preservation of all the ballots cast and all rosters and certificates delivered to it by the precinct boards for a period of five (5) years after the date of the election. The Commission shall be required to produce such ballots upon the order of a court of competent jurisdiction, and shall obtain a receipt for any release from its custody.

SOURCE: Law governing 3 GCA § 11134





COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

September 19, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note Waiver for Bill No. 190-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note Waiver for the following bill:

Bill No. 190-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

SEP 19 2025

Vice Speaker, V. Anthony Ada
Chairperson, Committee on Rules
I Mina'trentai Ocho na Liheslaturan Guahan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Vice Speaker Ada:

The Bureau requests that Bill No. 190-38 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 190-38 (COR) intends to add a new Chapter 5 to Title 6 of the Guam Administrative Rules and Regulations, relative to adopting the updated Guam Election Manual, pursuant to Chapter 9, Title 5, Guam Code Annotated.

The proposed amendment is administrative in nature and poses no additional fiscal impact upon any funds of the Government of Guam in FY 2025.

Senseramente,

LESTER L. CARLSON, JR.