

I Mina'Trentai Kuåttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
234-34 (LS)	Régine Biscoe Lee Joe S. San Agustin William M. Castro Mary Camacho Torres Fernando B. Esteves Tommy A. Morrison	AN ACT TO AMEND § 3101.3 OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING AUTOMATIC VOTER REGISTRATION FOR GUAM RESIDENTS.	1/26/18 5:58 p.m.						

I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUAHAN

2018 (SECOND) Regular Session

Bill No. 234-31 (LS)
Introduced by:

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**AN ACT TO AMEND § 3101.3 OF ARTICLE 1, CHAPTER 3,
TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO
PROVIDING AUTOMATIC VOTER REGISTRATION FOR
GUAM RESIDENTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 3101.3 of Article 1 Chapter 3, Title 16, Guam Code Annotated,
is *amended* to read:

**“§ 3101.3. Voter Registration Incident to Applications for Driver’s
Licenses and Identification Cards, and Renewals of Same.**

(a) Every person applying at the Department of Revenue and Taxation for a
Guam driver’s license or the renewal of said license, or a Guam identification card
or the renewal of said identification card, and who meets all the eligibility
requirements to register to vote pursuant to Chapter 3, Title 3, Guam Code
Annotated *shall simultaneously* ~~be afforded the opportunity to~~ register to vote, or if
previously registered, ~~be afforded the opportunity to~~ change their address for voting
purposes, subject to the closing and opening of registration pursuant to § 3104 of
Chapter 3, Title 3, Guam Code Annotated; and subject to the prohibition on the

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1 transfer of registration between the primary and general election pursuant to § 3107
2 of Chapter 3, Title 3, Guam Code Annotated.

3 (b) Every person applying for a Learner's Permit pursuant to 16 GCA §
4 31A04 and meets the requirements to pre-register to vote under 3 GCA § 3102(c)
5 shall be afforded the opportunity to pre-register to vote.

6 ~~(b)-(c)~~(1) The application to register to vote must be offered simultaneously
7 with the application for the Guam driver's license, the Guam identification card, or
8 renewal of either or both.

9 (2) Department of Revenue and Taxation employees must provide to
10 applicants for Guam Driver's licenses or Guam identification cards, or renewals of
11 either or both; the same level of assistance and instruction with respect to the
12 application to register to vote as is provided with respect to applications for Guam
13 driver's licenses, Guam identification cards, or renewals of either or both; *provided*,
14 that ~~separate one signatures shall is be required~~ sufficient on the application for a
15 Guam driver's license or Guam identification card (or renewal of either or both),
16 and the application to register to vote.

17 (3) The applicant ~~may~~ shall be afforded the opportunity to decline to register
18 to vote by failing to sign the voter registration form. If previously registered, the
19 applicant shall be afforded the opportunity to change his or her address for voting
20 purposes. In order to protect the privacy of those who do not wish to register to vote
21 for any reason, the failure of an applicant for a Guam driver's license or a Guam
22 identification card, or the renewal of either or both, to ~~sign the voter registration~~
23 ~~form~~ register to vote may *not* be used for any purpose other than to determine the
24 person's voter registration status.

25 ~~(e)-(d)~~(1) The voter registration application *shall* contain the applicant's
26 name, residence address, mailing address if different from residence address, date
27 of birth, and the applicant's signature and the date of affixation of signature, and

1 may include any other information, certifications, and declarations, including those
2 made under the penalty of perjury, that may be required by the Guam Election
3 Commission in order to administer a single and unified system of voter registration
4 in accordance with applicable local and federal laws which *shall* enable duly
5 registered voters to vote in all elections in their respective municipality, division or
6 districts, including, elections for federal officers. The voter registration application
7 must also include the eligibility requirements to be qualified to register to vote and
8 the statement that unlawful voter registration is a crime and any person who
9 willfully causes, procures or allows himself or herself or any person to be registered
10 as a voter, knowing himself or herself or other person not to be entitled to
11 registration, is guilty of a felony of the third degree.

12 (2) It *shall* be the responsibility of the Department of revenue and Taxation to
13 print and to have available at all times a sufficient number of voter registration forms
14 in order to carry out the provisions of this Section.

15 (3) The Department of revenue and taxation shall conspicuously post within
16 their office in public view a notice of the provisions of this Act; the eligibility
17 requirements to be qualified to register to vote; the statement that unlawful voter
18 registration is a crime and any person who willfully causes, procures or allows
19 himself or herself or any person to be registered as a voter, knowing himself or
20 herself or other person not to be entitled to registration, is guilty of a felony of the
21 third degree; the process to de-register to vote; and any other information the
22 Directors deems necessary.

23 ~~(d)~~ ~~(e)(1)~~ The completed registration application *shall* be transmitted by the
24 Department of Revenue and Taxation to the Guam Election Commission *no later*
25 *than* five (5) business days after the date of acceptance by the Department of
26 Revenue and Taxation. Transmission ~~may~~ *shall* be made by electronic means as

1 prescribed by the Guam Election Commission, and in an electronic form compatible
2 with the voter registration system maintained by the Guam Election Commission.

3 ~~(2) For each registration electronically transmitted, a hard copy will be provided~~
4 ~~to the Guam Election Commission.~~

5 ~~(e)~~ (f) Any person who has fully and correctly completed an application at the
6 Department of Revenue and Taxation to register to vote is presumed to be registered
7 as of the date of the acceptance of the registration by the Department of Revenue
8 and Taxation, subject to verification of the registration by the Executive Director
9 of the Guam Election Commission, as provided in § 3102 of Chapter 3, Title 3,
10 Guam Code Annotated.

11 (g) The Department of Revenue and Taxation shall not transmit the voter
12 registration of any applicant, who fails to certify that he or she is a citizen of the
13 United States.

14 ~~(f)~~ (h) Refusal by an applicant to register to vote *shall not* be a basis for the
15 denial of a Guam Driver's license or a Guam identification card, or the renewal
16 thereof.

17 ~~(g)~~ (i) The Guam Election Commission *shall* have the authority to adopt
18 regulations to implement and administer the provisions of this Section, including all
19 registration taken at the Department of Revenue and Taxation.

20 (j)(1) Upon verification by the Guam Election Commission that the University
21 of Guam (UOG) and Guam Community College (GCC) adequately designates
22 students who should be eligible to vote, UOG and GCC may follow the procedures
23 for automatic voter registration, enumerated for the Department of Revenue and
24 Taxation as described in subsections (c) through (e) of this section, during the
25 student application or registration process.

1 (2) Any additional agencies that are designated for automatic registration *shall*
2 follow the rules and protocols established in this section for the Department of
3 Revenue and Taxation.

4 (k) The Director of the Department of Revenue and Taxation *shall* consult with
5 the Guam Election Commission and the Chief Technology Officer of the Office of
6 Technology for the implementation of the provisions of this Act.

7 (l) Electors may be registered in accordance with this Section from the time
8 registration is open until twenty-one (21) days prior to an election.”

9 **Section 2. Effective Date.** This Act *shall* become effective upon enactment.