

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
259-35 (COR)	Telena Cruz Nelson	AN ACT RELATIVE TO INITIATING THE RECALL ELECTION OF THE MAYOR OF THE VILLAGE OF YONA AND AN ACT TO AMEND § 1013.1 OF CHAPTER 10, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE RESULTS OF A RECALL ELECTION IN EVENTS CAUSING VACANCY IN MUNICIPAL OFFICES.	12/27/19 12:07 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 259-35 (COR)

Introduced by:

Telena Cruz Nelson 

AN ACT RELATIVE TO INITIATING THE RECALL ELECTION OF THE MAYOR OF THE VILLAGE OF YONA AND AN ACT TO AMEND § 1013.1 OF CHAPTER 10, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE RESULTS OF A RECALL ELECTION IN EVENTS CAUSING VACANCY IN MUNICIPAL OFFICES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

I Liheslaturan Guåhan finds that on November 8, 2016, there were 1,775 total votes cast for the position of Mayor of the Village Yona and the Honorable Jesse Blas received a total of 1,575 (One Thousand Five Hundred Seventy-Five) votes to be declared the Mayor of the Municipality of Yona.

I Liheslaturan Guåhan further finds that on September 18, 2019, the indictment of the Honorable Jesse Blas was filed in the District Court of Guam thus placing the Honorable Mayor of Yona on annual leave. Since the confinement of the Honorable Mayor, the people and community of the Municipality of Yona have been without the critical leadership of a Mayor that is recognized under § 40112 of Article 1, Chapter 40, Title 5, Guam Code Annotated.

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1 Therefore, it is the intent of *I Liheslaturan Guåhan*, on behalf of the
2 residents of Yona, to initiate the recall election of Honorable Mayor Jesse
3 Blas.

4 **Section 2. Mandate and Appropriation for a Recall Election to remove**
5 **the current Mayor of Yona from the Municipality of Yona.**

6 (a) Pursuant to §1121 of Chapter 1, Title 3 GCA, *I Mina'trentai*
7 *Singko Na Liheslaturan Guåhan* initiates a recall election of Jesse Blas,
8 Mayor of the Village of Yona. *I Mina'trentai Singko Na Liheslaturan*
9 *Guahan* mandates that the Guam Election Commission submit to the voters
10 of the Municipality of Yona the following question during the recall
11 election:

12 **“SHALL THE MAYOR OF THE MUNICIPALITY OF**
13 **YONA, JESSE BLAS BE REMOVED FROM OFFICE**
14 **PUSUANT TO § 1121 OF CHAPTER 1, TITLE 3 GCA?**

15 YES NO

16 (b) Up to the sum of Twenty-two Thousand Eight Hundred
17 Fifty Dollars (\$22,850) is appropriated from the unappropriated
18 General Fund Balance, as of the end of Fiscal Year 2019, to conduct
19 the Recall Election in the Municipality of Yona.

20 **Section 3.** § 1013.1 of Chapter 10, Title 1, Guam Code Annotated, is
21 *amended* to read:

22 **§ 13106. Events Causing Vacancy in the Municipal Offices of**
23 **Mayor and Vice Mayor.**

24 The municipal offices of Mayor and Vice Mayor become vacant on
25 the happening of any of the following events:

- 1 (a) death of the incumbent;
- 2 (b) declaration of mental incompetence by a final judgment or final
3 order of a court of competent jurisdiction;
- 4 (c) resignation from office;
- 5 (d) refusal or failure to assume office;
- 6 (e) the decision of a competent tribunal declaring void his or her
7 election;
- 8 (f) conviction of a felony, or of a crime involving moral turpitude;
- 9 (g) his or her change of residence from the municipality in which he
10 or she was elected;
- 11 (h) when an incumbent is incapacitated because of illness and unable
12 to continue for the remainder of the term to which he or she was elected; ~~or~~
- 13 (i) when an incumbent has sought and won election to another office
14 and assumed the new office, constituting voluntary relinquishment of the
15 original office.; or
- 16 (j) the results of a recall election, in accordance with § 1121 of
17 Chapter 1, Title 3 Guam Code Annotated, if in favor of removal of the
18 incumbent.

19 The occurrence of any event under (a) through (i), with respect to a
20 person or persons elected to office, after the election but before the term of
21 office is to commence, constitutes a vacancy on the date the term
22 commences, unless the person or persons so elected is the incumbent, in
23 which case, the vacancy occurs on the date of such event.

24 **Section 4. Effective Date.** This act *shall* be effective upon enactment.