

*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
379-35 (LS)	Joe S. San Agustin	AN ACT TO AMEND (ee) OF SECTION 3, CHAPTER V OF PUBLIC LAW 36-35 TO ESTABLISH THE FULL AUTONOMY OF THE GUAM ELECTION COMMISSION.	7/13/20 3:15 p.m.						

***I MINA' TRENTAI SINGKO LIHESLATURAN GUÅHAN***  
**2020 (SECOND) Regular Session**

**BILL NO. 379-35 (LS)**

Introduced by:

**Joe S. San Agustin** 

**AN ACT TO AMEND (ee) OF SECTION 3, CHAPTER V OF  
PUBLIC LAW 36-35 TO ESTABLISH THE FULL  
AUTONOMY OF THE GUAM ELECTION COMMISSION.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the Guam Election Commission is a government entity which warrants independence and autonomy in order to fulfill their mandates to conduct elections on Guam for partisan and non-partisan elections. *I Liheslaturan Guåhan* further finds that the need to grant the Guam Election Commission full independence and autonomy of their Fiscal Year budgets as provided to *I Liheslaturan Guåhan*, Mayor's Council of Guam, the Office of the Attorney General, the Judiciary of Guam, the Office of the Public Auditor, the University of Guam, the Guam Community College, the Guam Memorial Hospital and the Guam Visitors Bureau. These entities who are provided autonomy do not have their budgetary allotments controlled by the Office of the Governor via the Bureau of Budget and Management Research.

It is the intent of *I Liheslaturan Guåhan* to provide the Guam Election Commission with the autonomy to execute its duties and mandates as prescribed by Guam Law.

1           Section 2. (ee) of Section 1, Chapter V of Public Law 35-36 is hereby  
2 *amended to read:*

3           **(ee) GUAM ELECTION COMMISSION (GEC)**

4           (1) Appropriation. The sum of One Million Three Hundred Ninety-  
5 nine Thousand Four Hundred Fourteen Dollars (**\$1,399,414**) is appropriated  
6 from the General Fund to the Guam Election Commission (GEC) for its  
7 operations for Fiscal Year 2020.

8 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

9           GENERAL FUND	\$1,399,414
10 <b>TOTAL</b>	<b>\$1,399,414</b>

11 For information purposes only:

12          FEDERAL MATCHING GRANTS-IN-AID	\$0
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13           (2) Continuing Appropriations Authorized. Notwithstanding any  
14 other provision of law, the unexpended balance of funds appropriated to GEC  
15 in Subsection (ee)(1) for Fiscal Years 2020 and prior, and appropriations from  
16 Public Law 35-7, *shall not* lapse and *shall* continue to be available until fully  
17 expended.

18           (3) Autonomous Authority. Notwithstanding any other provision of  
19 law, the Guam Election Commission shall be fully autonomous from the  
20 Government of Guam and authorized to draw against their respective  
21 appropriations established by I Liheslaturan Guåhan and approved by the  
22 Governor as needed to meet their obligations in accordance with a drawdown  
23 schedule that the GEC submits to the Director of Administration no later than  
24 October 31 of each fiscal year. If the GEC, fails to submit its drawdown  
25 schedule by October 31, the Director of Administration may withhold a  
26 drawdown request for the current fiscal year until such time the GEC submits  
27 its drawdown schedule for the entire fiscal year. The Director of

1        Administration shall not, for any reason, withhold any amount appropriated  
2        by the I Liheslaturan Guåhan to the Guam Election Commission; and the  
3        Bureau of Budget and Management Research shall not withhold or deny any  
4        requests relative to personnel, operations and other requests made by the  
5        Guam Election Commission.

6        **Section 3. Effective Date.** This Act *shall* become effective upon enactment.

7        **Section 4. Severability.** If any provision of this Act or its application to any  
8        person or circumstance is held invalid, the invalidity *shall not* affect other provisions  
9        or applications of this Act that can be given effect without the invalid provision or  
10       application, and to this end the provisions of this Act are severable.