

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
391-35 (LS)	Tina Rose Muña Barnes	AN ACT TO CANCEL THE 2020 PRIMARY ELECTION AND TO PROVIDE FOR A SAFER 2020 GENERAL ELECTION.	8/24/20 8:00 a.m.						

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

Bill No. 391-35 (LS)

Introduced by:

Tina Rose Muña Barnes



AN ACT TO CANCEL THE 2020 PRIMARY ELECTION AND
TO PROVIDE FOR A SAFER 2020 GENERAL ELECTION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds that
3 due to the recent spike in COVID-19 cases on Guam, the Guam Election
4 Commission is unable to hold the 2020 Primary Election without jeopardizing the
5 health and safety of the People of Guam. The Guam Election Commission has
6 informed *I Liheslatura* that due to the *I Maga'hagan Guahan's* declaration of
7 Pandemic Condition of Readiness (PCOR) I, it is uncertain if logistical arrangements
8 needed prior to the Primary Election can be executed. Furthermore, while *I*
9 *Liheslaturan Guahan* has voted down a similar measure previously during PCOR II,
10 due to an increase in mortality rates, confirmed cases and hospitalizations due to
11 COVID-19, it is no longer feasible to hold a Primary Election as the health and safety
12 of an estimated 16,410 - 19,145 residents may be put in undue risk. While the Guam
13 Election Commission previously testified that they were capable of holding a
14 Primary Election, the Guam Election Commission Board has informed *I*
15 *Liheslaturan Guahan* that this is no longer the case. *I Liheslaturan Guahan* also
16 notes that given the uncertainty regarding COVID-19, immediate steps need to be

1 taken to ensure that safeguards are put in place to ensure that the 2020 General
2 Election can proceed.

3 **Section 2. Cancellation of the 2020 Primary Election.** Notwithstanding any
4 other provision of law, or rule or regulation, the 2020 Primary Election shall be
5 canceled, and all qualified candidates for the 2020 Primary Election shall advance
6 to the 2020 General Election.

7 **Section 3. Mail-in voting.** Notwithstanding any other provision of law, rule
8 or regulation, any registered voter with the Guam Election Commission may request
9 the Guam Election Commission to mail official ballot materials for the 2020 General
10 Election. The Guam Election Commission *shall* also establish rules and regulations
11 for sending mail-in ballots to registered voters who request for an official ballot for
12 the 2020 General Elections no later than September 20th 2020.

13 **Section 4. Severability.** If any provision of this Act or its application to any
14 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
15 *not* affect other provisions or applications of this Act that can be given effect without
16 the invalid provision or application, and to this end the provisions of this Act are
17 severable.

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