

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

May 25, 2011

31-11-569

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

5726111  
11:36 AM

Dear Madame Speaker:

Transmitted herewith is Bill No. 128-31 (LS) "AN ACT TO REPEAL AND REENACT §7103.1 OF CHAPTER 7, AND TO ADD A NEW §1120 TO CHAPTER 1, ALL OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE USE OF ELECTRONIC VOTING MACHINES WITH VOTER VERIFIED PAPER BALLOTS IN GUAM ELECTIONS", which I signed into law on May 24, 2011 as **Public Law 31-68**.

*Senseramente,*

EDDIE BAZA CALVO

Attachment: copy of Bill

2011 MAY 27 AM 9:56

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN**  
**2011 (FIRST) Regular Session**

**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 128-31 (LS)**, "AN ACT TO *REPEAL AND REENACT* §7103.1 OF CHAPTER 7, AND TO *ADD* A NEW §1120 TO CHAPTER 1, ALL OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE USE OF ELECTRONIC VOTING MACHINES WITH VOTER VERIFIED PAPER BALLOTS IN GUAM ELECTIONS", was on the 10<sup>th</sup> day of May, 2011, duly and regularly passed.

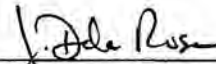


Judith T. Won Pat, Ed.D.  
Speaker

Attested: 

Tina Rose Muña Barnes  
Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guåhan* this 12<sup>th</sup> day of May, 2011, at 10:30 o'clock A.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahen Guåhan*  
**MAY 24 2011**

Date: \_\_\_\_\_

Public Law No. 31-68

***I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN***  
**2011 (FIRST) Regular Session**

**Bill No. 128-31 (LS)**

Introduced by:

R. J. Respicio  
T. C. Ada  
V. Anthony Ada  
F. F. Blas, Jr.  
B. J.F. Cruz  
Chris M. Dueñas  
Judith P. Guthertz, DPA  
Sam Mabini, Ph.D.  
T. R. Muña Barnes  
Adolpho B. Palacios, Sr.  
v. c. pangelinan  
Dennis G. Rodriguez, Jr.  
M. Silva Taijeron  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *REPEAL* AND *REENACT* §7103.1 OF  
CHAPTER 7, AND TO *ADD* A NEW §1120 TO CHAPTER  
1, ALL OF TITLE 3, GUAM CODE ANNOTATED,  
RELATIVE TO AUTHORIZING THE USE OF  
ELECTRONIC VOTING MACHINES WITH VOTER  
VERIFIED PAPER BALLOTS IN GUAM ELECTIONS.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3        finds that electronic voting machines have been prohibited from further usage in  
4        Guam because of problems created in past elections. While most early electronic  
5        voting devices were problematic, the role of similar devices in future elections

1 should *not* be ignored, as Guam and the nation continue efforts to increase  
2 electoral integrity.

3 *I Liheslatura* finds that devices in which votes are entered, and which then  
4 print a voter's completed ballot, have been praised for increasing the accuracy of  
5 elections. Voters enter their votes into these machines, and a Voter Verified  
6 Paper Ballot (VVPB) is printed, which the voter then verifies. Correct ballots are  
7 then placed into the ballot box. The VVPBs can then be processed, votes can be  
8 counted, and can be audited and stored as if hand-marked paper ballots were  
9 used.

10 If the voter makes an error, the VVPB becomes a spoiled ballot. The voter  
11 will then repeat the process until the voter's intent is printed. The VVPB can help  
12 to ensure that the basic democratic principle of counting all eligible votes is  
13 achieved. This process also eliminates stray marks and light marks that often lead  
14 to under-counting votes. This process can also assist disabled voters, allowing  
15 them to mark their ballots privately and independently, complying with the Help  
16 America Vote Act (HAVA).

17 It is therefore the intent of *I Liheslatura* to *repeal* and *reenact* §7103.1 of  
18 Title 3, Guam Code Annotated, to authorize the use in Guam elections of  
19 electronic voting machines that produce VVPBs that can be counted by optical  
20 scanners, and also by hand.

21 **Section 2.** §7103.1 of Chapter 7 of Title 3, Guam Code Annotated, is  
22 *repealed* and *reenacted* to read:

23 **“§7103.1. Electronic Voting Machines and Voter Verified**  
24 **Paper Ballots (VVPB).**

25 Electronic voting machines, on which voters *shall* enter their vote,  
26 and from which Voter Verified Paper Ballots (VVPB) *shall* be printed for

1 verification of accuracy by voters before casting, *shall* be permitted for use  
2 in Guam elections, *provided*:

3 (a) that the VVPB voting machines used in Guam elections  
4 are warranted to be accurate by the manufacturer;

5 (b) that precinct officials have been properly trained in the  
6 operation, basic maintenance and replacement of supplies in VVPB  
7 voting machines;

8 (c) that precinct officials have been properly trained in  
9 procedures, which *shall* be established, to inform voters about the  
10 proper use of the VVPB machines; voter verification that their ballot  
11 has been printed correctly based on each voter's choices; the  
12 handling of spoiled ballots associated with the machines; and the  
13 placing of correctly printed ballots in ballot boxes;

14 (d) that each VVPB machine *not* be networked to the  
15 internet, or to any other voting machine or computer through either  
16 wired or wireless connections;

17 (e) that ballot tallies from individual VVPB machines be  
18 recorded by hand, entered into a log, and either included with the  
19 ballots in the ballot boxes to be delivered to the vote tabulation  
20 center, *or* if tabulated on-site, be included with the counted ballots  
21 when delivered to storage; and

22 (f) that the on-site services of a manufacturer-authorized  
23 technician or technicians be available in Guam prior to and during  
24 each election, and until the polls have officially closed, to ensure the  
25 proper set-up and operation of the VVPB machines.”

26 **Section 3.** A new §1120 is *added* to Chapter 1 of Title 3, Guam Code  
27 Annotated, to read:

1           **“§1120.     Definitions: Voter Verified Paper Ballot (VVPB). A**  
2       *voter verified paper ballot* is a ballot printed on paper by a voting process in  
3       which a voter enters their voting choices into a computer and the voter’s  
4       ballot is printed in a format which is readable by the human eye. The voter  
5       *shall* verify that the vote printed is as intended, and the verified vote *shall* be  
6       placed in a ballot box. The VVPB is intended to reduce problems in the  
7       voting process, and to provide a means to audit election results.”

6

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: May 10, 2011

## VOTING SHEET

Bill No. 128-31(LS)

Resolution No. \_\_\_\_\_

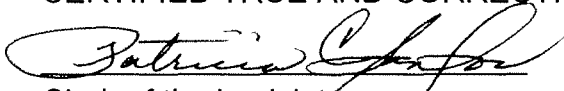
Question: \_\_\_\_\_  
\_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 \_\_\_\_\_

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guahan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

April 26, 2011

**Honorable Judith T. Won Pat, Ed.D.**

**Speaker**

*I Mina'Trentai Unu Na Liheslaturan Guahan*

155 Hesler Place

Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**  
**Chairperson, Committee on Rules**

**RE: Committee Report – Bill No. 128-31(LS)**

**Dear Speaker Won Pat:**

Transmitted herewith, for your consideration, is the **Committee Report on Bill No. 128-31 (LS) An Act to Repeal and Reenact Guam Code Annotated Title 3: Elections § 7103.1, Relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot."**; Sponsored by Senator Rory Respicio, and referred to the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform. Bill No. 128-31(LS) was publicly heard on April 7, 2011.

Committee votes are as follows:

<u>5</u>	<b>TO PASS</b>
<u>    </u>	<b>NOT TO PASS</b>
<u>    </u>	<b>ABSTAIN</b>
<u>3</u>	<b>TO REPORT OUT ONLY</b>
<u>    </u>	<b>TO PLACE IN INACTIVE FILE</b>

*Senseramente,*

**Senator Dennis G. Rodriguez, Jr.**  
**Chairman**

Attachments





*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guåhan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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## **COMMITTEE REPORT**

**ON**

**BILL NO. 128-31 (LS)**

**Sponsored by Senator Rory Respicio**

**“An Act to Repeal and Reenact Guam Code Annotated Title 3: Elections §7103.1, Relative to "Electronic Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot.”**



*Ufisinan Todu Guam*  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

**COMMITTEE VOTING SHEET**

**Bill 128-31 (LS)**

**"An Act to Repeal and Reenact Guam Code Annotated Title 3: Elections§ 7103.1, Relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot."; Introduced by Senator Rory Respicio.**

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 4/24/11				
ADOLPHO B. PALACIOS, Sr. Vice Chairman		✓ 4/26				
JUDITH T. WON PAT, Ed.D. Speaker					4/26/11	
BENJAMIN J. F. CRUZ Vice-Speaker		✓ 4/26/11				
TINA ROSE MUÑA BARNES Legislative Secretary		✓ 4.26.11				
THOMAS C. ADA						
VICENTE C. PANGELINAN						
RORY J. RESPICIO						
JUDITH P. GUTHERTZ, DPA		4/24/11				
FRANK F. BLAS, Jr.					4/26/11 ✓	
V. ANTHONY ADA						
ALINE A. YAMASHITA, Ph.D.						
SAM MABINI, Ph.D.					✓ 4/26/11	
MANA SILVA TAIJERON						
CHRISTOPHER M. DUENAS						




*Ufisinan Todu Guam*  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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April 25, 2011

MEMORANDUM

**To:** **ALL MEMBERS**  
Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform.

**From:** **Senator Dennis G. Rodriguez, Jr.**   
Committee Chairperson

**Subject:** **Committee Report on Bill no. 128-31(LS)**

Transmitted herewith, for your consideration, is the **Committee Report on Bill No. 128-31 (LS) An Act to Repeal and Reenact Guam Code Annotated Title 3: Elections§ 7103.1, Relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot.";** Sponsored by Senator Rory Respicio.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 128-31(LS)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 128-31(LS)
- Notices of Public Hearing (1<sup>st</sup> and 2<sup>nd</sup>)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

Please take the appropriate action on the attached voting 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'!*

Attachments



*Ufisinan Todu Guam*  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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**COMMITTEE REPORT DIGEST**

**Bill No. 128-31 (LS)**

**OVERVIEW:** The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on April 7, 2011. The hearing convened at 3:00 pm in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of Bill 128-31 (LS) An Act to Repeal and Reenact Guam Code Annotated Title 3: Elections§ 7103.1, Relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot."; Introduced by Senator Rory Respicio.

**I. Public Notice Requirements**

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on April 2, 2011 (5-day notice), and again on April 5, 2011 (48-hour notice). Notice was published, respectively.

**Senators Present**

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Adolpho B. Palacios, Sr.	Vice-Chairman
Senator Vicente Pangelinan	Committee Member
Senator Mana Silva Taijeron	Committee Member
Senator Tina Rose Muna-Barnes	Committee Member
Senator Rory Respicio	Committee Member
Senator Christopher M. Duenas	Committee Member
Senator Aline Yamashita, Ph.D.	Committee Member
Senator Sam Mabini, Ph.D.	Committee Member

The public hearing on agenda item Bill No. 128-31(LS) was called to order at 3:04 pm.

**II. SUMMARY OF TESTIMONY & DISCUSSION.**

**Chairman Dennis G. Rodriguez, Jr.:** Cthe onvened the Public Hearing on Bill 128-31(LS). Invited author of the bill to explain its intent.

**Senator Rory Respicio:** the author of the bill provided a written statement (attached) for submission and inclusion in the Committee Report.

**Dr. Jerone Landstrom, M.D.:** Signed **IN FAVOR** on the Sign-in Sheet for Bill No. 126-31 (LS), but was not present when the bill was heard.

**Fiscal Note:** Issued on April 14, 2011, by Bureau of Budget & Management Research (ATTACHED).

### **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby **reports out Bill No. 128-31(LS)**, with the recommendation to

*Report out only*.

**I MINA'TRENTAIUNU NA LIHESLATURAN GUÅHAN**  
**2011 (FIRST) Regular Session**

Bill No. 128-31 (LS)

Introduced by:

**R. J. RESPICIO**

2011 MAR 30 PM 4:28 EDR

**AN ACT TO REPEAL AND REENACT GUAM CODE  
ANNOTATED TITLE 3: ELECTIONS § 7103.1, RELATIVE  
TO "ELECTRONIC VOTING MACHINES" AND  
"VOTER VERIFIED PAPER BALLOTS (VVPB), AND TO  
DEFINE A "VOTER VERIFIED PAPER BALLOT."**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan*

*Guåhan* finds that electronic voting machines have been prohibited from further usage in Guam because of problems created in past elections. While most early electronic voting devices were problematic, the role of similar devices in future elections should not be ignored, as Guam and the nation continue efforts to increase electoral integrity.

*I Liheslatura* finds that devices in which votes are entered and which then print a voter's completed ballot, have been praised for increasing the accuracy of elections. Voters enter their votes into these machines, and a "voter-verified paper ballot" (VVPB) is printed, which the voter then verifies. Correct ballots are then placed into the ballot

1 box. The VVPBs can then be processed, votes can be counted, and can  
2 be audited and stored as if hand-marked paper ballots were used.

3 If the voter makes an error, the VVPB becomes a spoiled ballot.  
4 The voter will then repeat the process until the voter's intent is printed.  
5 The VVPB can help to ensure that the basic democratic principle of  
6 counting all eligible votes is achieved. This process also eliminates  
7 stray marks and light marks that often lead to under-counting votes.  
8 This process can also assist disabled voters, allowing them to mark  
9 their ballots privately and independently, complying with the Help  
10 America Vote Act (HAVA).

11 It is therefore the intent of *I Liheslatura* to *repeal* Title 3 GCA §  
12 7103.1, "Electronic Voting Machines," and to *reenact* a *new* § 7103.1, to  
13 authorize the use in Guam elections of electronic voting machines that  
14 produce VVPBs that can be counted by optical scanners, and also by  
15 hand.

16 **Section 2. Title 3 Guam Code Annotated § 7103.1 is *repealed* and**  
17 ***reenacted* to read:**

18 **"§ 7103.1. Electronic Voting Machines and Voter Verified**  
19 **Paper Ballots (VVPB).**

20 Electronic voting machines, on which voters *shall* enter their

1 vote, and from which Voter Verified Paper Ballots (VVPB) *shall* be  
2 printed for verification of accuracy by voters before casting, *shall*  
3 be permitted for use in Guam elections, *provided*:

4 (a) The VVPB voting machines used in Guam elections  
5 are warranted to be accurate by the manufacturer; and

6 (b) Polling place personnel have been properly trained  
7 in the operation, basic maintenance and replacement of  
8 supplies in VVPB voting machines; and

9 (c) Polling place personnel have been properly trained  
10 in procedures, which *shall* be established, to inform voters  
11 about the proper use of the VVPB machines; voter  
12 verification that their ballot has being printed correctly  
13 based on each voter's choices; the handling of spoiled ballots  
14 associated with the machines; and the placing of correctly  
15 printed ballots in ballot boxes; and

16 (d) Each VVPB machine *shall not* be networked to the  
17 Internet or to any other voting machine or computer through  
18 either wired or wireless connections; and

19 (e) Ballot tallies from individual VVPB machines *shall*  
20 be recorded by hand, entered into a log, and either included



1 with the ballots in the ballot boxes to be delivered to a vote  
2 tabulation center; or if tabulated on site, *shall* be included  
3 with the counted ballots when delivered to storage; and

4 (f) The on-site services of a manufacturer-authorized  
5 technician or technicians *shall* be available in Guam prior to  
6 and during each election, and until the polls have officially  
7 closed, to ensure the proper set-up and operation of the  
8 VVPB machines."

9 **Section 3. A *new* § 1120. Definitions: Voter Verified Paper Ballot**  
10 **(VVPB) is *added* to Title 3 Guam Code Annotated, Chapter 1, General**  
11 **Provisions to read:**

12 **"§ 1120. Definitions: Voter Verified Paper Ballot (VVPB).**

13 A voter verified paper ballot is a ballot printed on paper by a  
14 voting process in which a voter enters their voting choices into a  
15 computer and the voter's ballot is printed in a format which is  
16 readable by the human eye. The voter *shall* verify the vote printed  
17 is as intended and the verified vote *shall* be placed in a ballot box.  
18 The VVPB is intended to reduce problems in the voting process,  
19 and to provide a means to audit election results."



- **AGENDA ITEM** **Bill 128-31 (COR)** - An act to repeal and reenact Guam Code Annotated Title 3: Elections §7103.1, relative to "Electro Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot." (Introduced by R.J. Respicio)

Bill No: \_\_\_\_\_  
Page 1 of 1

# SENATOR RORY J. RESPICIO

## MAJORITY LEADER

### CHAIRPERSON

COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

April 7, 2011

**The Honorable Dennis G. Rodriguez, Jr.**

*I Mina'trentai Unu na Liheslaturan Guåhan*

155 Hesler Place

Hagåtña, Guam 96910

**RE: Sponsor's Statement on Bill No. 128-31 (LS)**

Dear Senator Rodriguez:

*Hafa adai.* Thank you for hearing Bill No. 128-31(LS). Please allow this to serve as my sponsor statement on the bill; and I respectfully request that you enclose this statement with your committee report, as a part of the record on **Bill No. 128-31 (LS) - "AN ACT TO REPEAL AND REENACT GUAM CODE ANNOTATED TITLE 3: ELECTIONS § 7103.1, RELATIVE TO 'ELECTRONIC VOTING MACHINES' AND 'VOTER VERIFIED PAPER BALLOTS' (VVPB), AND TO DEFINE A 'VOTER VERIFIED PAPER BALLOT.'"**


The people of Guam suffered an unfortunate experience with electronic voting machines in the 2006 elections, and the use of such devices was outlawed by Public Law 29-33. I was the author of that law, and I hope to be the author of the law that reinstates voting machines in Guam's elections. Public Law 29-33 stopped the use of electronic machines until they provide "a paper printout from which a voter may verify his ballot's accuracy, and which the Commission can utilize in auditing and recounting votes."

Bill No. 128-31 (LS) seeks to do just that. It requires the use of a "voter verified paper ballot," or "VVPB." Under this voting system, the voter enters his or her vote into the voting machine, which then prints the completed ballot, marked according to the voter's intent. The voter can verify the accuracy of the ballot before placing it in the ballot box. Unlike electronic voting, the GEC will have a paper ballot that can be audited or recounted if necessary. An additional benefit of the VVPB is that it will eliminate stray marks, marks outside the lines, gray marks, over-votes, and also crossover votes during primary elections.

Bill 128-31, the fourth bill I have introduced relative to our election processes, sets guidelines for the GEC to implement the VVPB machines, including proper training for election workers, and having service technicians on-site during elections. The proper and accurate counting of all valid votes must be our goal, and I believe the VVPB will be a great benefit to improve the process.

*Si Yu'os Ma'åse'* for your support.

Very truly yours,

  
**Rory J. Respicio**



## COMMITTEE ON RULES

*I Mina'trentai Unu na Libeslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

April 19, 2011

### Memorandum

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

To: Pat C. Santos  
Clerk of the Legislature

MAJORITY  
MEMBERS:

From: Senator Rory J. Respicio  
Chairperson, Committee on Rules

Speaker  
Judith T. Won Pat

Subject: Fiscal Notes

Vice Speaker  
Benjamin J. F. Cruz

*Hafa Adai!*

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Attached please find the fiscal notes for the bill numbers listed below.  
Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Bill Nos.: 105-31 (COR)  
114-31 (COR)  
125-31 (LS)  
126-31 (LS)  
128-31 (LS)  
129-31 (LS)  
130-31 (LS)  
134-31 (LS)  
135-31 (LS)  
136-31 (LS)  
142-31 (COR)

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

MINORITY  
MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

2011 APR 19 PM 12:57  
*Hafa*

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**BENITA A. MANGLONA**  
DIRECTOR

**STEPHEN J. GUERRERO**  
DEPUTY DIRECTOR

**APR 14 2011**

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai Senator Respicio:*

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 125-31(LS), 128-31(LS), 129-31(LS), 134-31(LS), 135-31(LS), 136-31(LS).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

BENITA A. MANGLONA  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 128-31**

**An act to Repeal and Reenact Guam Code Annotated Title 3: Elections §7103.1, Relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB)," and to Define a "Voter Verified Paper Ballot."**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Guam Election Commission	Dept./Agency Head: Stephanie Chargualaf, Acting
Department's General Fund (GF) appropriation(s) to date:	1,155,388
Department's Other Fund (Specify) appropriation(s) to date:	-
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$1,155,388</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

1. Does the bill contain "revenue generating" provisions? / / Yes /x/ No  
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No  
If no, what is the additional amount required? \$ /x/ N/A
3. Does the Bill establish a new program/agency? / / Yes /x/ No  
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /x/ No  
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /x/ No  
/ / Requested agency comments not received by due date /x/ Other:\*
- \*Insufficient time due to overdue deadline

Analyst: Dina P. Rivera Date: 4/14/11 Director: Benita A. Mangiona Date: 4/14/11  
Dina P. Rivera Benita A. Mangiona, Director

**Footnotes:**

The Bill has a potential for additional funding impact. However, in its present form, that impact cannot be determined at this time.



## COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

2011 MAR 31 PM 4:48

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

### MAJORITY MEMBERS:

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

March 31, 2011

### MEMORANDUM

To: Pat Santos  
Clerk of the Legislature

Attorney Therese M. Terlaje  
Legislative Legal Counsel

From: Senator Rory J. Respicio  
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 127-31 (LS) through 130-31 (LS)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 127-31 (LS) through 130-31 (LS).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os ma'åse!*

(4) Attachments

*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**March 30 2011**

Page 1 of 1

<b>Bill No.</b>	<b>Sponsor(s)</b>	<b>Title</b>	<b>Date Introduced</b>	<b>Date Referred</b>	<b>120 Day Deadline</b>	<b>Committee Referred</b>	<b>Public Hearing Date</b>	<b>Date Committee Report Filed</b>	<b>Status (Date)</b> Passed? Failed? Vetoed? Overridden? Public Law?
128-31 (LS)	R. J. RESPICIO	AN ACT TO <i>REPEAL</i> AND <i>REENACT</i> GUAM CODE ANNOTATED TITLE 3: ELECTIONS § 7103.1, RELATIVE TO "ELECTRONIC VOTING MACHINES" AND "VOTER VERIFIED PAPER BALLOTS (VVPB), AND TO DEFINE A "VOTER VERIFIED PAPER BALLOT."	03/30/11 4:28 p.m.	3/31/11		Committee on Health & Human Services Senior Citizens, Economic Development and Election Reform			





Joseph Anthony Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

## Revised Public Hearing April 7, 2011

1 message

Clifton Herbert &lt;cherbert.senatorrodriguez@gmail.com&gt;

Thu, Mar 31, 2011 at 5:10 PM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aliney74@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <info@judiwonpat.com>, Mana Silva Taijeron <manasilva@hotmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatortonyada@guamlegislature.org>

Cc: action@weareguahan.com, admin@weareguahan.com, chrisu@marianasmedia.com, clynt@spbg Guam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbg Guam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbg Guam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofofguam.com, rgibson@k57.com, ricknauta@hitradiio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Bill Phillips <phillipsguam@gmail.com>, Cindy Hanson <cmhanson@guam.net>, Elaine Tajalle <etajalle@guamlegislature.org>, James <officemanager@hitradiio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbg Guam.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Olivia Palacios <oliviampalacios@gmail.com>, Pacific Daily News <news@guampdn.com>, Stephanie Mendiola <sem@guamlegislature.org>, Telo Taitague <telo.taitague@guam.gov>, Tina Okada <tinaokada@gmail.com>, William Gibson <breakfastshowk57@gmail.com>

--

Ufisinan Todu Guam  
 SENATOR DENNIS G. RODRIGUEZ, Jr.  
 I Mina'trentai Unu Na Liheslaturan Guåhan  
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

### PRESS RELEASE

#### Revised

#### FIRST NOTICE OF PUBLIC HEARING

Thursday, April 7, 2011 3:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on, April 7, 2011, at I Liheslaturan Guåhan's Public Hearing Room in Hagåtña, on the following:

3:00PM

- **Bill 70-31 (COR)** - An act to establish the administrative rules and regulations of the Department of Public Health & Social Services relative to Child Care Centers and

Group Child Care Homes, under Article 1, of Chapter 1, Division 1, Title 26, Guam Administrative Rules and regulations, and in conformance with Article 4- Child Welfare Services Act, Chapter 4, Title 10, GCA. (*Introduced by D.G Rodriguez, Jr.*)

- **Bill 88-31 (COR)** - An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations (GAR); and to recommend to the Legislature any necessary changes to Title 3 ("Elections") of the GCA; all in advance of the 2012 Elections. (*Introduced by R.J. Respicio*)
- **Bill 104-31 (COR)** - An act relative to mentally ill and civil commitments, by repealing and reenacting §82101 Et Seq. §82810 of Chapter 82, Title 10, Guam Code Annotated. (*Introduced by D.G. Rodriguez Jr.*)
- **Bill 107-31 (COR)** - An act to add a new § 12212.1, § 12212.2, and § 12212.3 to Chapter 12, of Title 10, Guam Code Annotated; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act". (*Introduced by T.R Muña-Barnes*)
- **Bill 128-31 (COR)** - An act to repeal and reenact Guam Code Annotated Title 3: Elections §7103.1, relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB)", and to define a "Voter Verified Paper Ballot." (*Introduced by R.J. Respicio*)
- **The Executive Appointment of Dr. Reynald Lim to be a Member on the Board of Medical Examiners**
- **The Executive Appointment of Dr. Kia Rahamani to be a Member on the Board of Medical Examiners**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)  
###

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatordrodriguez@gmail.com](mailto:Cherbert.senatordrodriguez@gmail.com)

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**Public\_Hearing\_1st\_Notice\_April\_7,2011.pdf**  
684K

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## SENATOR DENNIS G. RODRIGUEZ, JR.

### PRESS RELEASE

#### Revised

#### FIRST NOTICE OF PUBLIC HEARING

Thursday, April 7, 2011 3:00PM

**Chairman,**  
Committee on  
Health &  
Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election  
Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural  
Affairs,  
Procurement,  
General  
Government  
Operations, &  
Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing &  
Recreation

**Member,**  
Committee on  
Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military  
Buildup &  
Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt,  
Banking, Insurance,  
Retirement, & Land

**Member,**  
Committee on  
Utilities,  
Transportation,  
Public Works,  
& Veterans Affairs

Assistant Majority  
Whip

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- The **Executive Appointment of Dr. Kia Rahamani** to be a **Member** on the **Board of Medical Examiners**

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520  
E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)

## 2nd Notice to all Senators Public Hearing Apr 7,2011

1 message

Tue, Apr 5, 2011 at 1:46 PM

Clifton Herbert &lt;cherbert.senatordrodriguez@gmail.com&gt;

To: "Dennis Rodriguez Jr." <senatordrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aliney74@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <info@judiwonpat.com>, Mana Silva Taijeron <manasilva@hotmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>  
Cc: vparriola@teleguam.net, mis@guamlegislature.org, tterlaje@guam.net, clerkoffice4 <clerkoffice4@guamlegislature.com>, "Patti C. Santos" <psantos@guamlegislature.org>, sgtarms@guamlegislature.org  
Bcc: jmesngon.senatordrodriguez@gmail.com

--

Uffisinan Todu Guam  
SENATOR DENNIS G. RODRIGUEZ, JR.  
I Mina'trentai Unu Na Liheslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatordrodriguez@gmail.com](mailto:Cherbert.senatordrodriguez@gmail.com)

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### 2 attachments

**All Senators 2nd Notice Apr 7.pdf**

89K


**Public Hearing Agenda APRIL 7,2011.pdf**

595K



# SENATOR DENNIS G. RODRIGUEZ, JR.

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR.   
CHAIRPERSON

SUBJECT: SECOND NOTICE OF PUBLIC HEARING  
Thursday April 7, 2011

## SECOND NOTICE OF PUBLIC HEARING Thursday April 7, 2011 5:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on Thursday April 7, 2011, at / *Lihestaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

cc: -Clerk of the Legislature -Legislative Legal Counsel  
-Executive Director -MIS  
-Sergeant-At-Arms/Protocol

Chairman,  
Committee on  
Health &  
Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election  
Reform

Member,  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

Member,  
Committee on  
Youth, Cultural  
Affairs,  
Procurement,  
General  
Government  
Operations, &  
Public  
Broadcasting

Member,  
Committee on  
Municipal Affairs,  
Tourism,  
Housing &  
Recreation

Member,  
Committee on  
Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

Member,  
Committee on the  
Guam Military  
Building &  
Homeland Security

Member,  
Committee on  
Appropriations,  
Taxation,  
Public Debt,  
Banking, Insurance,  
Retirement, & Land

Member,  
Committee on  
Utilities,  
Transportation,  
Public Works,  
& Veterans Affairs

Assistant Majority  
Whip

Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature

176 Sereno Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)

## 2nd Notice Public Hearing with Agenda

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Apr 5, 2011 at 1:33 PM

To: action@weareguahan.com, admin@weareguahan.com, chrisu@marianasmedia.com, clynt@spbgum.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumatol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbgum.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbgum.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofiguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Bill Phillips <phillipsguam@gmail.com>, Cindy Hanson <cmhanson@guam.net>, Elaine Tajalle <etajalle@guamlegislature.org>, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbgum.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <lmatthews@guampdn.com>, Olivia Palacios <oliviampalacios@gmail.com>, Pacific Daily News <news@guampdn.com>, Stephanie Mendiola <sem@guamlegislature.org>, Telo Taitague <telo.taitague@guam.gov>, Tina Okada <tinaokada@gmail.com>, William Gibson <breakfastshowk57@gmail.com>

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Ufisinan Todu Guam  
SENATOR DENNIS C. RODRIGUEZ, JR.  
I Mina'trentai Unu Na Liheslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

### PRESS RELEASE SECOND NOTICE OF PUBLIC HEARING Thursday, April 7, 2011 3:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on, April 7, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

3:00PM

- **Bill 70-31 (COR)** - An act to establish the administrative rules and regulations of the Department of Public Health & Social Services relative to Child Care Centers and Group Child Care Homes, under Article 1, of Chapter 1, Division 1, Title 26, Guam Administrative Rules and regulations, and in conformance with Article 4- Child Welfare Services Act, Chapter 4, Title 10, GCA. (*Introduced by D.G Rodriguez, Jr.*)
- **Bill 88-31 (COR)** - An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations (GAR); and to recommend to I Liheslatura any necessary changes to Title 3 ("Elections") of the GCA; all in advance of the 2012 Elections. (*Introduced by R.J. Respicio*)
- **Bill 104-31 (COR)** - An act relative to mentally ill and civil commitments, by repealing and reenacting §82101 Et Seq. §82810 of Chapter 82, Title 10,



Guam Code Annotated. (*Introduced by D.G. Rodriguez Jr.*)

- **Bill 107-31 (COR)** - An act to add a new § 12212.1, § 12212.2, and § 12212.3 to Chapter 12, of Title 10, Guam Code Annotated; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act". (*Introduced by T.R. Muña-Barnes*)
- **Bill 128-31 (COR)** - An act to repeal and reenact Guam Code Annotated Title 3: Elections §7103.1, relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB)", and to define a "Voter Verified Paper Ballot." (*Introduced by R.J. Respicio*)
- The **Executive Appointment of Dr. Reynald Lim** to be a **Member** on the **Board of Medical Examiners**
- The **Executive Appointment of Dr. Kia Rahamani** to be a **Member** on the **Board of Medical Examiners**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez2@gmail.com](mailto:senatordrodriguez2@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

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SENATOR DENNIS G. RODRIGUEZ, JR.

**Chairman,**  
Committee on  
Health &  
Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election  
Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural  
Affairs,  
Procurement,  
General  
Government  
Operations, &  
Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing &  
Recreation

**Member,**  
Committee on  
Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military  
Buildup &  
Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt,  
Banking, Insurance,  
Retirement, & Land

**Member,**  
Committee on  
Utilities,  
Transportation,  
Public Works,  
& Veterans Affairs

Assistant Majority  
Whip

April 1, 2011

Ms. Stephanie Chargualaf  
Acting Executive Director  
Guam Election Commission  
GCIC Bldg.  
Hagåtña, Guam

Dear Ms. Chargualaf:

*Buenas yan Håfa Adai!* The office of Senator Dennis G. Rodriguez, Jr. would like to inform you that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a public hearing on Thursday, April 7, 2011 commencing at 3pm at *I Liheslatura's* Public Hearing Room in Hagåtña.

We would like to invite you and others in your department to give testimony, oral or written, on the following bill(s):

**Bill No. 88-31(LS)-** An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations; and to recommend to the Legislature any necessary changes to Title 3 ("Elections") of the Guam Code Annotated. Introduced by Senator RJ Respicio.

**Bill No. 127-31(LS)-** An act to repeal and reenact Guam Code Annotated, Title 3: Elections §7103.1, relative to Electronic Voting Machines" and "Voter Verified Paper Ballots" (VVPB), and to define a "Voter Verified Paper Ballot." Introduced by Senator RJ Respicio.

The bills, as indicated above, may be found on *I Liheslatura's* website at [www.guamlegislature.com](http://www.guamlegislature.com).

Written testimonies may be submitted prior to, or up to 10 days after the hearing to the office of Senator Rodriguez at 176 Serenu Ave. Tamuning, Guam, the Legislature's mailroom or email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We look forward to your participation and attendance. Please contact me at our office for further inquiry. *Si Yu'os Ma'åse'!*

*Senseramente,*

Clifton Herbert  
Office Manager

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520  
E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)

176 Serenu Avenue, Ste. #107  
Tamuning, Guam 96931  
(671) 649-8638/649-0511  
(671) 649-0520

**Office Of Senator  
Dennis Rodriguez, Jr.**



# Fax

**To:** MS. STEPHANIE CHARGUALAF

**From:** JOSEPH MESNGON

**Fax:** 477-1895

**Pages:** 02 including coversheet

**Phone:** 477-9791-4

**Date:** 4/1/11

**Re:** BILL 70-31 & BILL 107-31

**cc:**

☒ **X Urgent**

☒ **X For Review**

☒ **X Please Comment**

☐ **Please Reply**

☐ **Please Recycle**

● **Comments:**

Hafa Adai!

Attached is a letter for Director Chargualaf in regards to Bill No. 88-31 & 127-31. You may contact me for any inquiries.

**WE KINDLY REQUEST YOU CONFIRM RECEIPT OF THIS FAX BY CALLING JOE MESNGON AT 649-8638/0511, OFFICE OF SENATOR RODRIGUEZ.**

**SI YU'OS MA'ASE'I**

*I MINA'TRENTAIUNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

Bill No. 128-31 (LS)

Introduced by:

R. J. RESPICIO

2011 MAR 30 PM 4:28  
EJMR

AN ACT TO REPEAL AND REENACT GUAM CODE  
ANNOTATED TITLE 3: ELECTIONS § 7103.1, RELATIVE  
TO “ELECTRONIC VOTING MACHINES” AND  
“VOTER VERIFIED PAPER BALLOTS (VVPB), AND TO  
DEFINE A “VOTER VERIFIED PAPER BALLOT.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

**Section 1. Legislative Findings and Intent.** *I Liheslaturan*

*Guåhan* finds that electronic voting machines have been prohibited from further usage in Guam because of problems created in past elections. While most early electronic voting devices were problematic, the role of similar devices in future elections should not be ignored, as Guam and the nation continue efforts to increase electoral integrity.

*I Liheslatura* finds that devices in which votes are entered and which then print a voter's completed ballot, have been praised for increasing the accuracy of elections. Voters enter their votes into these machines, and a “voter-verified paper ballot” (VVPB) is printed, which the voter then verifies. Correct ballots are then placed into the ballot

1 box. The VVPBs can then be processed, votes can be counted, and can  
2 be audited and stored as if hand-marked paper ballots were used.

3 If the voter makes an error, the VVPB becomes a spoiled ballot.  
4 The voter will then repeat the process until the voter's intent is printed.  
5 The VVPB can help to ensure that the basic democratic principle of  
6 counting all eligible votes is achieved. This process also eliminates  
7 stray marks and light marks that often lead to under-counting votes.  
8 This process can also assist disabled voters, allowing them to mark  
9 their ballots privately and independently, complying with the Help  
10 America Vote Act (HAVA).

11 It is therefore the intent of *I Liheslatura* to *repeal* Title 3 GCA §  
12 7103.1, "Electronic Voting Machines," and to *reenact* a *new* § 7103.1, to  
13 authorize the use in Guam elections of electronic voting machines that  
14 produce VVPBs that can be counted by optical scanners, and also by  
15 hand.

16 **Section 2. Title 3 Guam Code Annotated § 7103.1 is *repealed* and**  
17 ***reenacted* to read:**

18 **"§ 7103.1. Electronic Voting Machines and Voter Verified**  
19 **Paper Ballots (VVPB).**

20 Electronic voting machines, on which voters *shall* enter their

1 vote, and from which Voter Verified Paper Ballots (VVPB) *shall* be  
2 printed for verification of accuracy by voters before casting, *shall*  
3 be permitted for use in Guam elections, *provided*:

4 (a) The VVPB voting machines used in Guam elections  
5 are warranted to be accurate by the manufacturer; and

6 (b) Polling place personnel have been properly trained  
7 in the operation, basic maintenance and replacement of  
8 supplies in VVPB voting machines; and

9 (c) Polling place personnel have been properly trained  
10 in procedures, which *shall* be established, to inform voters  
11 about the proper use of the VVPB machines; voter  
12 verification that their ballot has being printed correctly  
13 based on each voter's choices; the handling of spoiled ballots  
14 associated with the machines; and the placing of correctly  
15 printed ballots in ballot boxes; and

16 (d) Each VVPB machine *shall not* be networked to the  
17 Internet or to any other voting machine or computer through  
18 either wired or wireless connections; and

19 (e) Ballot tallies from individual VVPB machines *shall*  
20 be recorded by hand, entered into a log, and either included

1 with the ballots in the ballot boxes to be delivered to a vote  
2 tabulation center; or if tabulated on site, *shall* be included  
3 with the counted ballots when delivered to storage; and

4 (f) The on-site services of a manufacturer-authorized  
5 technician or technicians *shall* be available in Guam prior to  
6 and during each election, and until the polls have officially  
7 closed, to ensure the proper set-up and operation of the  
8 VVPB machines.”

9 **Section 3. A *new* § 1120. Definitions: Voter Verified Paper Ballot**  
10 **(VVPB) is *added* to Title 3 Guam Code Annotated, Chapter 1, General**  
11 **Provisions to read:**

12 **“§ 1120. Definitions: Voter Verified Paper Ballot (VVPB).**

13 A voter verified paper ballot is a ballot printed on paper by a  
14 voting process in which a voter enters their voting choices into a  
15 computer and the voter’s ballot is printed in a format which is  
16 readable by the human eye. The voter *shall* verify the vote printed  
17 is as intended and the verified vote *shall* be placed in a ballot box.  
18 The VVPB is intended to reduce problems in the voting process,  
19 and to provide a means to audit election results.”