

**CHAPTER 17**  
**INITIATIVE, REFERENDUM AND LEGISLATIVE SUBMISSION**

- Article 1. General Provisions.
- Article 2. Initiative.
- Article 3. Referendum.
- Article 4. Legislative Submission.
- Article 5. Arguments concerning Initiative, Referendum or Legislative Submission Measures Submitted to Voters.

**ARTICLE 1**  
**GENERAL PROVISIONS**

- § 17101. Legislative Intent.
- § 17102. Definitions.
- § 17103. Legislative Amendment: Limitations.
- § 17104. Summary of Proposed Initiative, Referendum or Legislative Submission: Fees.
- § 17105. Preparation of Ballot Title by Election Commission.
- § 17106. Designation of Measures by Title.

**§ 17101. Legislative Intent.**

It is the intent of the Legislature through the enactment of this measure that the people of the territory of Guam shall have the right to exercise the power of initiative and referendum with regard to legislative matters, and that the Legislature shall submit matters to the voters for approval or rejection.

**SOURCE:** GC § 2960 added by P.L. 14-23.

**§ 17102. Definitions.**

As used in this Chapter:

(a) *Initiative* is the power of the voters to propose statutes and to adopt or reject them at the polls.

(b) *Referendum* is the power of the voters to initiate action to repeal existing statutes or parts of statutes, except statutes calling for elections or appropriations for usual current expenses of the Territory.

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

(c) *Legislative Submission* means the power of the voters to approve or reject legislation which has been referred to them by the Legislature.

(d) Measure refers to the action proposed or question presented on the initiative, referendum or legislative submission.

**SOURCE:** GC § 2960.1 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17103. Legislative Amendment: Limitations.**

The Legislature may amend or repeal statutes enacted pursuant to legislative submission but the Legislature may not within a period of two (2) years, amend or repeal a statute enacted pursuant to an initiative without voter approval unless said statute provides for amendment or repeal without voter approval.

**SOURCE:** GC § 2960.2 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17104. Summary of Proposed Initiative, Referendum or Legislative Submission: Fees.**

(a) The proponents of any proposed initiative or referendum measure, prior to circulating any petition for signatures, shall submit a draft of the measure to the Election Commission with a request that it prepare a summary of the chief purposes and points of the proposed measure. The summary shall not exceed one hundred (100) words and shall be a true and impartial summary of the measure.

(b) The Election Commission shall also, upon request of the Speaker of the Legislature, prepare a summary of each legislative submission measure to be submitted to the voters by the Legislature. The summary shall not exceed one hundred (100) words.

(c) The proponents of any initiative or referendum measure shall, at the time of submitting the draft of the measure to the Election Commission, pay a non-refundable fee of Two Hundred Dollars (\$200) to help defray the cost of preparing the measure for the ballot. No fee shall be charged for legislative submissions.

**SOURCE:** GC § 2960.3 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17105. Preparation of Ballot Title by Election Commission.**

The Election Commission shall provide a ballot title for each initiative, referendum or legislative submission to be submitted to the voters within ten (10) days after the measure is certified for a position on the ballot and

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

publish said title once a week for three (3) consecutive weeks in a newspaper of general circulation on Guam. The ballot title may differ from the legislative or other title of the measure and shall express the purpose of the measure in not more than one hundred (100) words. The Election Commission shall give a true and impartial statement of the purpose of the measure in such language that the ballot title shall not be an argument or likely to create prejudice either for or against the measure.

**SOURCE:** GC § 2960.4 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17106. Designation of Measures by Title.**

Each measure *shall* be designated on the ballot by the ballot title prepared by the Election Commission. The ballot title given *shall* begin with the last two (2) digits of the election year, followed by the alphabet letter corresponding to the order in which it was submitted to the Election Commission.

**SOURCE:** GC § 2960.5 added by Reenacted by P.L. 17-25:III:8. See § 17514. Amended by P.L. 31-123:2 (Sept. 30, 2011).

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**ARTICLE 2  
INITIATIVE**

- § 17201. Initiative: Proposal of.
- § 17202. Same: Unrelated Subjects Prohibited.
- § 17202.2. [Untitled].
- § 17202.3. [Untitled].
- § 17203. Same: Presentation of.
- § 17204. Same: Majority Required; Effective Date.
- § 17205. Same: Resolution of Conflicts.
- § 17206. Printing of Summary on Initiative Petition.
- § 17207. Initiative Petition: Forms; Certification.
- § 17208. Filing of Petitions.
- § 17209. Preservation of Filed Petitions.
- § 17210. Official Summary Date for Proposed Initiative; Time for Circulation and Filing of Petitions.
- § 17211. Number of Signatures Required to Place Initiative on Ballot.
- § 17212. Special Single-Site Elections.

**§ 17201. Initiative: Proposal of.**

Initiative measures may be proposed by presenting to the Election Commission petitions, as set forth in this Chapter with *bona fide* signatures of voters equal in number to ten percent (10%) of all registered voters as of the time the proposed initiative measure is submitted to the Election Commission prior to circulation.

**SOURCE:** GC § 2960.6 added by P.L. 14-23. Repealed and reenacted by P.L. 24-132:1.

**§ 17202. Same: Unrelated Subjects Prohibited.**

An initiative measure embracing unrelated subjects may not be submitted to the voters.

**SOURCE:** GC § 2960.7 added by P.L. 14-23.

**§ 17202.2. [Untitled].**

*If* an initiative measure is *not* approved by voters in any election, *no* initiative measure proposing a substantially similar *or* substantially related subject *shall* be submitted to voters for at least three (3) years after the date of such election.

**SOURCE:** Added by P.L. 29-118:2 (Dec. 2, 2008).

**§ 17202.3. [Untitled].**

The Guam Election Commission *shall* be responsible for determining whether an initiative measure proposes a substantially similar *or* substantially related subject of a previously defeated measure prior to circulation of said measure.

**SOURCE:** Added by P.L. 29-118:3 (Dec. 2, 2008).

**§ 17203. Same: Presentation of.**

The Election Commission shall submit the initiative to the electors after certification at the next general election held at least ninety (90) days after it qualifies or at a territory-wide special election held at least ninety (90) days after certification, provided however that the Legislature may call a territory-wide special election for the purpose of having the electors vote on an initiative measure.

**SOURCE:** GC § 2960.8 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17204. Same: Majority Required; Effective Date.**

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

An initiative must be approved by fifty percent (50%) plus one (1) of all voters who go to the polls to vote in the special or general election at which the initiative was placed on the ballot. Any initiative so approved by fifty percent (50%) plus one (1) of all voters who go to the polls to vote at said election shall take effect sixty (60) days after the date on which the Commission certifies that the initiative has been passed.

**SOURCE:** GC § 2960.9 added by P.L. 14-23; amended by P.L. 17-63:13.

**NOTE:** The Compiler of Laws has searched the files of the Guam Election Commission and has determined that this section, popularly known as the “Santos Amendment”, was never amended or changed by an Initiative or Referendum. Several Initiatives were proposed, but none were certified by the Election Commission as having passed.

**§ 17205. Same: Resolution of Conflicts.**

If provisions of two (2) or more measures approved at the same election conflict, those provisions of the measure receiving the highest affirmative vote shall prevail.

**SOURCE:** GC § 2960.10 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17206. Printing of Summary on Initiative Petition.**

Prior to the circulation of any proposed initiative measure the proponents shall print upon each page of the petition in Roman Blackface type not smaller than 12-point, “Initiative measure to be submitted directly to the voters“. Beneath that shall be printed the Summary prepared by the Election Commission in the same size type. Next shall be printed the Text of the initiative measure. Across the top of each subsequent page shall be printed a Short Title not to exceed twenty (20) words showing the nature of the petition and the subject to which it relates.

**SOURCE:** GC § 2960.11 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17207. Initiative Petition: Forms; Certification.**

(a) Each section of the initiative petition shall have a half-inch column to the left of the place for printed names for use of the election clerks. Each signer shall sign his signature next to his printed name and in the next place, print his place of residence (giving the street and number if such exist, plus P.O. Box) and social security or C.I. number.

(b) The number of signatures attached to each section of the petition shall be at the pleasure of the person soliciting signatures to the same. Any qualified voter of the territory of Guam shall be competent to solicit said signatures. The petition shall have attached thereto the affidavit of the

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

person soliciting signatures stating his qualifications and that all the signatures to the attached section were made in his presence and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be, and no other affidavit thereto shall be required.

(c) The affidavit of any person soliciting signatures hereunder shall be verified free of charge by any officer authorized to administer oaths. Petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified voters.

**SOURCE:** GC § 2960.12 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17208. Filing of Petitions.**

Officers required by law to receive or file any initiative petition shall not receive or file any initiative which does not conform with the provisions of this Chapter.

**SOURCE:** GC § 2960.13 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17209. Preservation of Filed Petitions.**

An officer receiving or filing any initiative shall preserve the position for four (4) years. He may destroy the petition after four (4) years unless it is in evidence in some action or proceeding then pending.

**SOURCE:** GC § 2960.14 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17210. Official Summary Date for Proposed Initiative; Time for Circulation and Filing of Petitions.**

The date a summary of a proposed initiative measure is delivered or mailed by the Election Commission to the proponents is designated the 'official summary date' for proposed initiative measure.

No petitions for a proposed initiative shall be circulated for signature prior to the official summary date. Petitions with signatures on a proposed initiative measure shall be filed with the Election Commission not later than one hundred twenty (120) days after the official summary date, and the Election Commission shall not accept petitions on the proposed initiative measure after that period.

**SOURCE:** GC § 2960.15 added by P.L. 14-23. Repealed and reenacted by P.L. 24-132:2.

**§ 17211. Number of Signatures Required to Place Initiative on Ballot.**

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

The Election Commission shall not accept any petition on a proposed initiative measure unless it has been certified as provided in § 17207 and has met the qualifications provided for by § 17201 of this Chapter.

**SOURCE:** GC § 2960.16 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17212. Special Single-Site Elections.**

For the purpose of submitting an initiative measure, a referendum, or any submission by the Legislature to the electors, the Commission may, pursuant to a call by the Governor or Legislature, conduct a Special Election dealing only with such measures, referendums, or submissions during which election a single polling place shall be designated by the Commission. The single polling place may be the offices of the Guam Election Commission or may be any other site deemed appropriate and available by the Commission. The Commission may geographically alternate the voting site during the thirty (30) day election period for the purpose of maximizing voter convenience, provided that each alternate site is open for a period of at least six (6) consecutive days during the thirty (30) day election period, and further provided that each site be open to any registered voter in Guam who has not yet voted during the election period, regardless of the voter's place of residence or district of registration. Registered voters may cast their ballots on the initiative measure at any time a designated polling place is open during a period of thirty (30) consecutive calendar days, provided that the first day of the thirty (30) day election period must be no less than ninety (90) days after the certification of the initiative measure by the Commission or the enactment of a law placing an initiative measure before the voters of Guam, and provided further that during the thirty (30) days election period, the designated polling place shall be open to voters every day for a minimum of twelve (12) consecutive hours beginning at 8:00 a.m., except Sundays. The Election Commission may not call such an election on its own initiative. Only the Legislature or the Governor may call such an election for the purpose of having the electors vote on an initiative measure, referendum or any submission to the voters by the Legislature. Such election may not be held within 90 days prior to any Special or General Election. No counting of ballots shall commence until the termination of the thirty (30) day election period as described in this Section. For elections as described in this section, ballots may be counted by any reasonable methodology determined appropriate by the Commission, including manual counting, provided that the counting of ballots shall commence no sooner than the close of the polling place on the

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

final day of the election and no later than twenty-four (24) hours after the last day of the thirty (30) days election period.

**SOURCE:** Added by 23-102:2.

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**ARTICLE 3  
REFERENDUM**

- § 17301. Referendum: Proposal of.
- § 17302. Same: Unrelated Subjects Prohibited.
- § 17303. Same: Presentation of.
- § 17304. Heading of Referendum Petition.
- § 17305. Short Title on Referendum Petition.
- § 17306. Referendum Petition: Forms; Certification.
- § 17307. Filing of Petitions.
- § 17308. Preservation of Filed Petitions.
- § 17309. Official Summary Date for Proposed Referendum Measure; Time for Circulation and Filing of Petitions.
- § 17310. Number of Signatures Required to Place Referendum on Ballot.
- § 17311. Referendum on Tax Increases Required.
- § 17312. Voter Approval Required on General Obligation Bonds and Certain Fees.

**§ 17301. Referendum: Proposal of.**

A referendum measure may be proposed by presenting to the Election Commission petitions, as set forth in this Chapter, signed by voters equal in number to twenty percent (20%) of all votes counted for all candidates for Governor at the last preceding general election at which a Governor was elected.

**SOURCE:** GC § 2960.17 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17302. Same: Unrelated Subjects Prohibited.**

A referendum measure embracing unrelated subjects may not be submitted to the voters.

**SOURCE:** GC § 2960.18 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17303. Same: Presentation of.**

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

The Election Commission shall submit the referendum to the electors after certification at the next general election held at least ninety (90) days after it qualifies or at a territory-wide special election held at least ninety (90) days after certification, provided however that the Legislature may call a territory-wide special election for the purpose of having the voters vote on a referendum measure.

**SOURCE:** GC § 2960.19 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17304. Heading of Referendum Petition.**

(a) Across the top of each page of a referendum petition, there shall be printed in 12-point boldface type the following:

REFERENDUM AGAINST AN ACT  
PASSED BY THE LEGISLATURE

(b) The summary prepared by the Election Commission shall be printed beneath the title in the same type style.

**SOURCE:** GC § 2960.20 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17305. Short Title on Referendum Petition.**

Across the top of each page after the first page of every referendum petition which is prepared and circulated, there shall be printed a short title, not to exceed twenty (20) words, showing the nature of the petition and the subject to which it relates.

**SOURCE:** GC § 2960.21 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17306. Referendum Petition: Forms; Certification.**

(a) Each section of the referendum petition shall have a half-inch column to the left of the place for printed names for use of the election clerks. Each signer shall sign his signature next to his printed name, and in the next place, print his place of residence (giving the street and number if such exist, plus P.O. Box) and social security or C.I. number.

(b) The number of signatures attached to each section of the petition shall be at the pleasure of the person soliciting signatures to the same. Any qualified voters of the territory of Guam shall be competent to solicit said signatures. The petition shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence and that to the best of his knowledge and belief each signature to the section is

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

the genuine signature of the person whose name it purports to be, and no other affidavit thereto shall be required.

(c) The affidavit of any person soliciting signatures hereunder shall be verified free of charge by any officer authorized to administer oaths. Such petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors.

**SOURCE:** GC § 2960.22 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17307. Filing of Petitions.**

Officers required by law to receive or file any referendum petition shall not receive or file any referendum petition which does not conform with the provisions of this Act.

**SOURCE:** GC § 2960.23 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17308. Preservation of Filed Petitions.**

An officer receiving or filing any referendum petition shall preserve the petition for four (4) years. He may destroy the petition after four (4) years unless it is in evidence in some action or proceeding then pending.

**SOURCE:** GC § 2960.24 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17309. Official Summary Date for Proposed Referendum Measure; Time for Circulation and Filing of Petitions.**

The date a summary of a proposed referendum measure is delivered or mailed by the Election Commission to the proponents is designated the official summary date for the proposed referendum measure.

No petitions for a proposed referendum measure shall be circulated for signature prior to the official summary date. Petitions with signatures on a proposed referendum measure shall be filed with the Election Commission not later than ninety (90) days after the official summary date, and the Election Commission shall not accept petitions on the proposed referendum measure after that period.

**SOURCE:** GC § 2960.25 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17310. Number of Signatures Required to Place Referendum on Ballot.**

The Election Commission shall not accept any petition on a proposed referendum measure unless it has been certified as provided in § 17306 and has met the qualifications provided for by § 17301 of this Chapter.

**SOURCE:** GC § 2960.26 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17311. Referendum on Tax Increases Required.**

Notwithstanding any other provision of law, no increase in real property tax, liquid fuel tax, business privilege tax or any locally enacted and administered tax on Guam shall go into effect without the approval of the voters of Guam in a referendum held during a General Election. The manner in which a proposed tax increase shall be placed in referendum before the voters of Guam pursuant to this Section shall be as follows:

1. *I Liheslaturan Guahan* [The Guam Legislature] must pass, in bill form, a proposed tax increase, the effective date to be thirty (30) days after ratification by the voters of Guam in a referendum, such ratification to be certified by the Guam Election Commission. The bill

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

must detail the amount and nature of the proposed increase and the purpose to which such proposed increase shall be applied.

2. No more than ten (10) days after the bill is enacted into law, the full text of the law shall be transmitted to the Guam Election Commission by the Legislative Secretary of *I Liheslaturan Guahan* [the Legislature]. The Guam Election Commission shall place before the voters of Guam the question of whether the voters approve or disapprove of the proposed tax increase at the next General Election, provided that the date of transmittal of the proposed tax increase from *I Liheslaturan Guahan* [the Legislature] to the Guam Election Commission is at least ninety (90) days prior to the date of the next General Election.

3. The Guam Election Commission shall cause to appear in a daily periodical of mass publication on Guam a full text of the proposed tax increase to be submitted to the voters in referendum pursuant to this Section, at a date no less than thirty (30) days prior to the General Election during which the referendum shall be held. *I Liheslaturan Guahan* shall make such provisions as are deemed necessary to provide the public with information necessary to arrive at an informed position with respect to the proposal.

4. Any submission to the voters made pursuant to this Section shall be treated as an initiative for the purpose of determining the number of votes needed to ratify a proposal placed before the voters pursuant to this Section.

This Section shall not be interpreted as requiring voter ratification of a tax imposed by the government of the United States of America, provided that this Section shall apply upon de-linkage of the Guam income tax from the Federal Internal Revenue Code.

**SOURCE:** Added by P.L. 24-222:2 (7/29/1998) [Correcting **SOURCE** error]. Amended by P.L. 29-002:VI:28 (May 18, 2007) the name, Gross Receipts Tax, changed to Business Privilege Tax.

**§ 17312. Voter Approval Required on General Obligation Bonds and Certain Fees.**

The provisions of § 17311 of this Article and Chapter shall apply in the case of any general obligation bond of the government of Guam in excess of Twenty-five Million Dollars (\$25,000,000), as well as in the case of the creation of any new fee for service proposed to be established in such cases

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

where the fee is for a service already provided by the government of Guam prior to the establishment of the new fee, and where such service was previously funded through other revenues.

**SOURCE:** Added by P.L. 24-222:2 (07/29/98).

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**ARTICLE 4  
LEGISLATIVE SUBMISSION**

- § 17401. Number of Legislative Votes Necessary for Legislature's Submission.
- § 17402. Number of Votes to Approve Legislative Measure Submitted to the People by the Legislature.

**§ 17401. Number of Legislative Votes Necessary for Legislature's Submission.**

No measure shall be submitted to the voters by *I Liheslatura* unless it shall have been adopted by majority of affirmative votes of all the members.

**SOURCE:** GC § 2960.27 added by Reenacted by P.L. 17-25:III:8. See § 17514. Amended by P.L. 28-13:2.

**§ 17402. Number of Votes to Approve Legislative Measure Submitted to the People by the Legislature.**

A majority of the valid votes cast thereon shall be necessary for the approval of any legislative submission placed on the ballot by the Legislature.

**SOURCE:** GC § 2960.28 added by Reenacted by P.L. 17-25:III:8. See § 17514.

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**ARTICLE 5  
ARGUMENTS CONCERNING INITIATIVE, REFERENDUM  
OR LEGISLATIVE SUBMISSION MEASURES SUBMITTED TO VOTERS**

- § 17501. Draft of Argument Favoring Measure.
- § 17502. Draft of Argument Opposing Measure.
- § 17503. Submission of Drafts to Election Commission; Amendment.
- § 17504. Filing of Voter's Argument for Initiative or Referendum.

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

- § 17505. Priorities in Selection of Argument.
- § 17506. Signatures on Arguments.
- § 17507. Analysis of Measure.
- § 17508. Printing of Ballot Pamphlet.
- § 17509. Contents of Pamphlet.
- § 17509.1. Defect in Pamphlet.
- § 17510. Format of Pamphlet.
- § 17511. Mailing of Ballot Pamphlet.
- § 17512. Rules and Regulations.
- § 17513. Effective Date, Implementation and Severability.
- § 17514. Reenactment of Chapter.

**§ 17501. Draft of Argument Favoring Measure.**

(a) Whenever the Legislature submits any measure to the voters, the author of the measure and one (1) member of the Legislature who voted with the majority for the submission of the measure shall be appointed by the Speaker to draft an argument for the adoption of the measure. This argument shall not exceed five hundred (500) words in length.

(b) If the author of the measure desires separate arguments to be written in its favor by each person appointed, separate arguments may be written but the combined length of the two arguments shall not exceed five hundred (500) words.

**SOURCE:** GC § 2960.29 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17502. Draft of Argument Opposing Measure.**

If a measure to be submitted to the voters by the Legislature was not adopted unanimously, one member who voted against it shall be appointed by the Speaker, at the same time as appointments to draft an argument in its favor are made, to write an argument against the measure. The opposing argument shall not exceed five hundred (500) words.

**SOURCE:** GC § 2960.30 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17503. Submission of Drafts to Election Commission; Amendment.**

Arguments prepared by legislators appointed by the Speaker shall be submitted to the Election Commission within forty-five (45) days after the adoption of the Legislative submission measure by the Legislature. If the arguments are not submitted within forty-five (45) days, the measure shall not be submitted to the voters.

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

**SOURCE:** GC § 2960.31 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17504. Filing of Voter's Argument for Initiative or Referendum.**

Any voter or group of voters may, no less than forty-five (45) days prior to the election at which the measure is to be presented to the voters, prepare and file with the Election Commission an argument for or against any initiative or referendum measure or legislative submission. The argument shall not exceed five hundred (500) words in length.

**SOURCE:** GC § 2960.32 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17505. Priorities in Selection of Argument.**

If more than one (1) argument for or more than one (1) argument against any measure is filed within the time prescribed, the Election Commission shall select one of the arguments for printing in the ballot pamphlets. In selecting the argument, the Election Commission shall give preference and priority in the order named to the arguments of the following:

- (a) In the case of a legislative submission, members of the Legislature;
- (b) Bona fide associations of citizens; and
- (c) Individual voters.

**SOURCE:** GC § 2960.33, added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17506. Signatures on Arguments.**

No more than three (3) signatures shall appear with any argument printed in the ballot pamphlet. In case any argument is signed by more than three (3) persons the signature of the first three shall be printed.

**SOURCE:** GC § 2960.34, added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17507. Analysis of Measure.**

Whenever any measure qualifies for a place on the ballot, the Election Commission shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure.

The analysis shall be printed in the ballot pamphlet between the ballot title and the arguments for and against the measure. The length of the analysis shall not exceed five hundred (500) words, except with the approval of the Election Commission.

**SOURCE:** GC § 2960.35 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17508. Printing of Ballot Pamphlets.**

The Election Commission shall cause to be printed one and one-tenth times as many ballot pamphlets as there are registered voters.

**SOURCE:** GC § 2960.36 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17509. Contents of Pamphlet.**

The Ballot pamphlets shall contain:

(a) A complete copy of any measure submitted to the voters by:

(1) The Legislature.

(2) Initiative or referendum petition.

(b) A copy of the specific statutory provision, if any, proposed to be affected.

(c) A copy of the arguments provided for in this Chapter.

(d) The analysis and ballot title provided for in this Chapter.

**SOURCE:** GC § 2960.37 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17509.1. Same. Defect.**

Any defect in the Ballot Pamphlet shall not cause a delay in the election or be grounds to invalidate the election.

**SOURCE:** Added by P.L. 27-108:4.

**§ 17510. Format of Pamphlets.**

The Election Commission shall prescribe the format of the ballot pamphlet subject to the conditions set forth in § 17507 and § 17509 and further subject to the condition that the required material be presented in a manner to facilitate comprehension.

**SOURCE:** GC § 2960.38 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17511. Mailing of Ballot Pamphlet.**

As soon as copies of the ballot pamphlet are available, the Election Commission shall mail immediately the following number of copies to the following persons and places:

(a) One copy to each registered voter;

(b) One copy to each village Commissioner;

(c) One copy to each judge of the Superior Court; and

3 GCA ELECTIONS  
CH. 17 INITIATIVE, REFERNDUM AND LEGISLATIVE SUBMISSION

(d) One copy to each Senator.

**SOURCE:** GC § 2960.39 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17512. Rules and Regulations.**

Pursuant to its powers under 3 GCA Chapter 2, the Election Commission shall promulgate the necessary administrative rules and procedures to effectuate the purposes of this Chapter.

**SOURCE:** GC § 2960.40 added by Reenacted by P.L. 17-25:III:8. See § 17514.

**§ 17513. Effective Date, Implementation and Severability.**

This Act shall be effective upon adoption, provided that in order to provide sufficient time for administrative implementation of this Act [Chapter], no petition may be filed with the Election Commission pursuant to § 17201 or 17301 prior to July 1, 1977.

If any part or parts of this Act are found to be inconsistent with the Constitution of the United States or the Organic Act, the remainder of the Act shall remain in force.

If the Organic Act is replaced by a popularly developed Constitution, this Act shall be deemed to be reenacted pursuant to said Constitution. If said Constitution contains provisions dealing with initiative, referendum and legislative submission which are inconsistent with the provisions of this Act, this Act shall be deemed to be amended to conform to the Constitutional provisions.

**SOURCE:** GC § 2960.41, Reenacted by P.L. 17-25:III:8. See § 17514..

**§ 17514. Reenactment of Chapter.**

Chapter 17 of Title 3 of the Guam Code Annotated (this Chapter) is hereby reenacted. Such reenactment is to conform with 48 U.S.C. §1422a, as amended by Act of October 19, 1982, Public Law 97-357, Title I, §101, 96 Stat. 1705.

**SOURCE:** Enacted by P.L. 17-25:III:8.

**COMMENT:** This section was enacted following adoption by Congress of an amendment to the Organic Act, referenced in the section, which specifically authorized initiative and referendum on Guam. Before Congressional action, there was doubt that this Chapter was within the power of the Legislature to enact. Since no referenda nor initiatives had been introduced before Congressional action, no challenges arose.

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