



*Office of the Governor of Guahan*

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Felix P. Camacho  
*Governor*

Michael W. Cruz, M.D.  
*Lieutenant Governor*

2010 APR 19 AM 9:41

APR 15 2010

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*Mina' Trenta Na Liheslaturan Guåhan*  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 184 (COR) "AN ACT TO ADD A NEW §75108 (i) TO CHAPTER 75, TITLE 21, GUAM CODE ANNOTATED, TO ADD A NEW §21002.1 TO CHAPTER 21, TITLE 3, GUAM CODE ANNOTATED; AND TO AMEND §2104 OF CHAPTER 21, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE COMMISSION ON DECOLONIZATION" which was signed into law on March 12, 2010 as **Public Law 30-102**.

*Sins eru yan Magåhet,*

**MICHAEL W. CRUZ, M.D.**  
*I Maga'låhen Guahan para pa'go*  
Acting Governor of Guahan

Attachment: copy of Bill

30-10-0347

4/16/10  
4:56P  
mf

**I MINA'TRENTA NA LIHESLATURAN GUÅHAN**  
**2010 (SECOND) Regular Session**


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

This is to certify that **Substitute Bill No. 184-30 (COR), "AN ACT TO ADD A NEW §75108 (i) TO CHAPTER 75, TITLE 21, GUAM CODE ANNOTATED; TO ADD A NEW §21002.1 TO CHAPTER 21, TITLE 3, GUAM CODE ANNOTATED; AND TO AMEND §2104 OF CHAPTER 21, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE COMMISSION ON DECOLONIZATION,"** was on the 26<sup>th</sup> day of February, 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

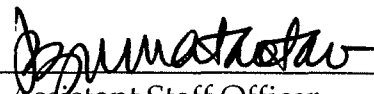
Attested:



Tina Rose Muña Barnes  
Legislative Secretary

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This Act was received by *I Maga'lahaen Guåhan* this 1 day of March, 2010, at 5:40 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

MAR 12 2010

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

Public Law No. P.L. 30-102

***I MINA'TRENTA NA LIHESLATURAN GUAHAN***  
**2009 (FIRST) Regular Session**

**Bill No. 184-30 (COR)**

As substituted by the Committee on Rules, Natural  
Resources, and Federal, Foreign & Micronesian Affairs,  
and amended on the Floor.

Introduced by:

v. c. pangelinan  
Telo Taitague  
Judith T Won Pat, Ed.D.  
Judith P. Guthertz, DPA  
T. R. Muña Barnes  
R. J. Respicio  
T. C. Ada  
F. B. Aguon, Jr.  
B. J.F. Cruz  
F. F. Blas, Jr.  
E. J.B. Calvo  
J. V. Espaldon  
Adolpho B. Palacios, Sr.  
Ray Tenorio

**AN ACT TO *ADD* A NEW §75108 (i) TO CHAPTER 75,  
TITLE 21, GUAM CODE ANNOTATED; TO *ADD* A  
NEW §21002.1 TO CHAPTER 21, TITLE 3, GUAM CODE  
ANNOTATED; AND TO *AMEND* §2104 OF CHAPTER  
21, TITLE 1, GUAM CODE ANNOTATED, RELATIVE  
TO THE COMMISSION ON DECOLONIZATION.**

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

2        **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that Public  
3 Law 23-147 established Guam policy with respect to the future political status of  
4 Guam, and Public Law 25-106 provided the mechanism to prepare for  
5 determination of that status with the establishment of the Guam Decolonization

1 Registry, the index of names established by the Guam Election Commission for the  
2 purposes of registering and recording the names of the Native Inhabitants of Guam.

3 The process of registration of the eligible native inhabitants and their  
4 descendants continues today. Due to Guam's current status as one of only sixteen  
5 (16) non-self governing entities worldwide, as determined by the United Nations, *I*  
6 *Liheslaturan* finds it is urgent that Guam take every opportunity to complete the  
7 registry expediently.

8 *I Liheslaturan Guåhan* further finds that the requirements that qualify a  
9 person as a Native Inhabitant for the Guam Decolonization Registry mirror the  
10 qualifications set forth for Chamorro Land Trust recipients in 21 GCA §75101(d),  
11 which specifies: “The term Native Chamorro means any person who became a  
12 U.S. citizen by virtue of the authority and enactment of the Organic Act of Guam  
13 or descendants of such person.”

14 Since the decolonization registry is a registry to record eligible individuals  
15 for the purpose of conducting the decolonization plebiscite and *not* the final voter  
16 registry for the decolonization plebiscite itself, *I Liheslatura* finds it in the best  
17 interest of Guam to add the list of eligible Chamorro Land Trust residential lease  
18 applicants to the Guam Decolonization Registry.

19 *I Liheslatura* further finds that a simple restructuring of the Commission on  
20 Decolonization would help move the process forward by ensuring that the  
21 Commission meets regularly and provides the guidance and assistance necessary to  
22 achieve its mandated goals.

23 **Section 2.** A new §75108 (i) is *added* to Chapter 75, Title 21, Guam Code  
24 Annotated, to read:

25 “(i) Upon completion of an application for a Chamorro Land Trust  
26 Commission lease, the lessee shall automatically and concurrently be  
27 registered with the Guam Election Commission Decolonization Registry.”

1       **Section 3.** A new §21002.1 is *added* to Chapter 21, Title 3, Guam Code  
2 Annotated, to read:

3               **“§21002.1. Registration of Qualified CLTC Applicants.** The  
4 Commission *shall* waive the affidavit of registration process for individuals  
5 that have received a Chamorro Land Trust Commission lease *or* have been  
6 pre-approved to receive a Chamorro Land Trust Commission property lease.  
7 Those individuals *shall* be included on the registration roll of the Guam  
8 Decolonization Registry and are deemed registered *unless* the lessee requests  
9 in writing *not* to be included on the Decolonization Registry.”

10       **Section 4. Decolonization Commission Membership.** §2104 of Chapter  
11 21, Title 1, Guam Code Annotated, is *amended* to read:

12               **“§2104. Creation and Membership on Commission.** There is  
13 established a Commission on Decolonization for the Implementation and  
14 Exercise of Guam Self-Determination for the Native Inhabitants of Guam,  
15 which shall be composed of eleven (11) members, including the  
16 Chairperson:

17               (a) *I Maga’lahen Guåhan* shall serve as the Chairperson of  
18 the Commission, and *shall* appoint two (2) members of the  
19 Commission;

20               (b) The chairperson of *I Liheslaturan Guåhan’s* committee  
21 with responsibilities over Federal Affairs *shall* serve as the Vice  
22 Chairperson of the Commission and *shall* serve as Chairperson in the  
23 absence of the Chairperson; in the event the legislative committee  
24 chairperson is *not* able to serve on the Commission, another member  
25 of *I Liheslaturan Guåhan* shall be designated by a majority vote of *I*  
26 *Liheslatura*.

27               (c) One (1) member *shall* be appointed by the Speaker of *I*

1            *Liheslaturan Guåhan*, who may appoint himself;

2            (d)    One (1) member *shall* be selected by and shall be from *I*  
3            *Liheslaturan Guåhan*'s minority;

4            (e)    One (1) member *shall* be appointed by the Mayors  
5            Council from among their membership;

6            (f)    One (1) member *shall* represent the task force members  
7            who are advocating the political status of Independence, to be  
8            appointed by the Chairman of the task force, who may appoint  
9            himself;

10           (g)    One (1) member *shall* represent the task force members  
11           who are advocating the political status of Free Association, to be  
12           appointed by the Chairman of the task force, who may appoint  
13           himself;

14           (h)    One (1) member *shall* represent the task force members  
15           who are advocating the political status of Statehood, to be appointed  
16           by the Chairman of the task force, who may appoint himself; and

17           (i)    One (1) member *shall* represent the youth of Guam, to be  
18           appointed by the Speaker of the Youth Congress from among the  
19           qualified members of the Congress, who may appoint himself.

20           *No* person shall be eligible to serve as a member of the Commission  
21           *unless* that person shall be qualified to vote on the plebiscite for political  
22           self-determination. Vacancies in the membership *shall* be filled in the same  
23           manner as the original appointment.

24           Without being excused pursuant to a motion passed by the  
25           Commission, any appointed member of the Commission who fails to attend  
26           three (3) consecutive regularly scheduled meetings *shall* automatically be

1           disqualified to continue serving in his or her position and the appointing  
2           authority *shall* then be required to appoint a replacement for said member.”

3           **Section 5. Severability.** If any of the provisions of this Act or the  
4           application thereof to any person or circumstance is held invalid, such invalidity  
5           shall not affect any other provision or application of this Act which can be given  
6           effect without the invalid provision or application, and to this end the provisions of  
7           this Act are severable.

8           **Section 6. Effective Date.** Sections 2 and 3 of this Act *shall* be effective  
9           retroactive to March 1, 1993, the month during which the Chamorro Land Trust  
10          Commission held its first official meeting.

6

# I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 2/26/10

## VOTING SHEET

5 Bill No. 184-30 (COR)

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.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

14

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



**SENATOR RORY J. RESPICIO**

**MAJORITY LEADER**

**CHAIRMAN**

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



*I Mina'Trenta na Liheslaturan Guåhan*  
**THIRTIETH GUAM LEGISLATURE**

February 22, 2010

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

Speaker

I Mina' Trenta na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

**RE: Committee Report on Bill No. 184 (COR) As Substituted**


*Hafa Adai Speaker Won Pat:*

The Committee on Rules, Natural Resources, and Federal, Foreign & Micronesia Affairs hereby reports out its findings and recommendations on **Bill No. 184 (COR) As Substituted** – "An act to *add* a new Subitem (i) to Title 21 Guam Code Annotated, Chapter 75, §75108; and to *add* a new §21002.1 to Title 3 Guam Code Annotated, Chapter 21; and to *amend* §2104 of Title 1 Guam Code Annotated, Chapter 21 Relative to the Commission on Decolonization."

Committee votes are as follows:

<u>10</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>1</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Very Truly Yours,

  
**Rory J. Respicio**

SENATOR RORY J. RESPICIO  
MAJORITY LEADER

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



*I Mina Trenta na Liheslaturan Guåhan*  
THIRTIETH GUAM LEGISLATURE

**Committee Report on  
Bill No. 184(COR) As Substituted  
by the Committee on Rules, Natural Resources,  
and Federal, Foreign & Micronesian Affairs**

**“An act to *add* a new Subitem (i) to Title 21 Guam Code Annotated, Chapter 75, §75108; and to *add* a new §21002.1 to Title 3 Guam Code Annotated, Chapter 21; and to *amend* §2104 of Title 1 Guam Code Annotated, Chapter 21 Relative to the Commission on Decolonization.”**

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
**COMMITTEE ON RULES, NATURAL RESOURCES**  
**AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS**




*I Mina'Trenta na Liheslaturan Guåhan*  
**THIRTIETH GUAM LEGISLATURE**

February 22, 2010

**MEMORANDUM**

**To:** All Members  
Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs

**From:** Senator Rory J. Respicio  
Committee Chairperson 

**Subject:** Committee Report on Bill No. 184 (COR) As Substituted

Transmitted herewith for your consideration is the report on Bill No. 184 (COR) As Substituted – "An act to *add* a new Subitem (i) to Title 21 Guam Code Annotated, Chapter 75, §75108; and to *add* a new §21002.1 to Title 3 Guam Code Annotated, Chapter 21; and to *amend* §2104 of Title 1 Guam Code Annotated, Chapter 21 Relative to the Commission on Decolonization."

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- A Copy of Bill No. 184 (COR) As Substituted
- A Copy of Bill No. 184 (COR) As Introduced
- Public Hearing Sign-in Sheet
- Submitted Testimony
- COR Referral of Bill No. 184 (COR)
- Notices of Public Hearing & Related Correspondence
- Public Hearing Agenda

Please take your preferred 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'!*



## COMMITTEE ON RULES

*I Mina'Trenta na Libeslaturan Guåhan* • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

### Committee Voting Sheet

Bill No. 184 (COR) – “An act to *add* a new Subitem (i) to Title 21 Guam Code Annotated, Chapter 75, §75108; and to *add* a new §21002.1 to Title 3 Guam Code Annotated, Chapter 21; and to *amend* §2104 of Title 1 Guam Code Annotated, Chapter 21 Relative to the Commission on Decolonization.”

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
SENATOR RORY J. RESPICIO Chairperson						
SENATOR JUDITH P. GUTHERTZ Vice-Chairperson						
SPEAKER JUDITH T. WON PAT, Ed.D. Member						
VICE-SPEAKER BENJAMIN J.F. CRUZ Member						
LEGISLATIVE SECRETARY TINA ROSE MUÑA BARNES Member						
SENATOR THOMAS C. ADA Member						
SENATOR FRANK B. AGUON, JR. Member						
SENATOR ADOLPHO B. PALACIOS Member						
SENATOR VICENTE C. PANGELINAN Member						
SENATOR FRANK F. BLAS, JR. Minority Member						
SENATOR JAMES V. ESPALDON Minority Member						

# SENATOR RORY J. RESPICIO

MAJORITY LEADER

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



*I Mina'Trenta na Liheslaturan Guåhan*  
THIRTIETH GUAM LEGISLATURE

## COMMITTEE REPORT DIGEST

### Bill No. 184-30 (COR) As Substituted

"An act to *add* a new Subitem (i) to Title 21 Guam Code Annotated, Chapter 75, §75108; and to *add* a new §21002.1 to Title 3 Guam Code Annotated, Chapter 21; and to *amend* §2104 of Title 1 Guam Code Annotated, Chapter 21 Relative to the Commission on Decolonization."

### I. OVERVIEW

The Committee on Rules, Natural Resources and Federal, Foreign & Micronesian Affairs convened a public hearing on Monday, September 28, 2009 at 9AM in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 184-30 (COR) - "An act to add a new Section (i) Title 21, Chapter 75, § 75108 and to add a new Section 21006.1 Title 3, Chapter 21 relative to the Decolonization Registry," sponsored by Senator V. C. Pangelinan.

#### Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or e-mail to all senators and all main media broadcasting outlets on Monday, Sept. 21, 2009, and again on Friday, Sept. 25, 2009.

#### Senators Present

Senator Rory J. Respicio, Chairperson  
Senator Judith P. Guthertz, Vice Chairperson  
Senator Frank B. Aguon, Jr., Committee Member  
Senator Tina Rose Muña Barnes, Committee Member  
Senator V. C. Pangelinan, Committee Member  
Senator Telo Taitague  
Senator Edward J.B. Calvo

The public hearing was called to order at 9:10 a.m.

## II. SUMMARY OF TESTIMONY & DISCUSSION

Signing up to testify were former Senator Hope Cristobal and University of Guam instructor Victoria Leon Guerrero.

Senator Respicio gave the Bill's author, Senator V.C. Pangelinan, an opportunity to discuss Bill No. 184-30 (COR). Senator Pangelinan said that Bill 184 would do something simple but far-reaching, to achieve the ultimate goal of determining the status of Guam, through a decolonization plebiscite, as guaranteed by the United Nations and agreed to by the United States. The plebiscite is to be held when a threshold is reached for the eligible voters. Congresswoman Bordallo had \$400,000 set aside as an earmark for Guam for the education process for the plebiscite. Senator Pangelinan said that he had informed Congresswoman Bordallo and Congressman Rayhall that the amount was not enough, about \$2 million is needed.

Senator Pangelinan said that he was committed to the process and would not stop his efforts until a decolonization vote is taken.

Senator Respicio called on Senator Hope A. Cristobal to provide testimony. Senator Cristobal said she was the author of the original bill establishing the Chamorro Registry, and was appearing in support of Bill 184-30 (COR). She said that she had been waiting for ten years for this to take place.

She extended her appreciation to Senator Pangelinan for his attention to Chamorro issues and commended him for creating a separate registry related to the work of the Commission on Decolonization. She said that she hoped his work to address "the unfinished business of Chamorro self-determination will be fruitful for all who live in Guam."

Senator Cristobal reiterated the fact that the human right of self-determination is one of the most basic principles recognized by international conventions and laws, saying, "the exercise of our human right of self-determination is embedded in the process of decolonization, a process that is an entitlement when the United States placed Guam on the UN List of Non Self-Governing Territories."

She said that the Legislature and other elected officials should take greater interest in true democracy for Guam and be more responsive to the political nature of the US military buildup. She also criticized the inaction of the Commission on Decolonization and said that the registry will help actualize the aspirations of the Chamorros to be a free people.

Victoria Lola Leon Guerrero, an English teacher at the University of Guam, was next to speak. She said that she had been to the United Nations for the past several years to testify on Guam's status as a colony, and if the people of Guam do not fight for this right, the opportunity will one day be lost.

She said that the people of Guam do not know what the registry is and that the education efforts must be increased. She asked, without educating the community, where would we be in five years? She urged leaders to pass the bill and help educate the people and lead them down the correct path.

She recommended that every person who votes in 2010 be asked if they are qualified to be on the Chamorro registry, and if so, added to the registry.

She said that Senator Cristobal would be testifying in New York before the United Nations and encouraged Senators to submit their own testimony, to be read at the hearings.

She said that at least 42,000 people would be coming to Guam in the next few years, and a large number of Chamorros were being recruited into the military. She said that it would be disappointing if the self-determination vote did not come before the military moved here for the buildup.

She said she supported the bill wholeheartedly.

Senator Respicio said that the bill could be amended to reflect the desires of those testifying.

Senator Guthertz commended Senator Cristobal and Ms Leon Guerrero and stated that even though she is not eligible, she supports the right of the people to vote. She commended Senator Pangelinan for his efforts.

She also commended Senator Respicio for tying federal-territorial issues to the buildup and agreed that once the buildup is complete, it will be too difficult to push self-determination issues. She suggested amending the law to ensure that Decolonization meetings are regularly held.

Senator Pangelinan thanked Senator Cristobal for her efforts on this issue, and said that he was just adding to her efforts.

Senator Taitague said the bill was definitely needed and commended Senator Cristobal for her work on this issue. She also thanked Ms Leon Guerrero for her efforts.

Senator Calvo said he supported Bill 184-30 (COR). He said that his two sons were UOG students and were aware of the need for change in Guam's political status. He said he was happy to see a Chamorro reach the status as has Assistant Secretary Babauta, but Guam still had no vote in Congress and our political status must be defined.

Senator Respicio recognized the hard work of Senator Cristobal over the years. He reiterated Senator Guthertz's statements and said that he has always championed leveraging federal-territorial issues with the buildup. He said he supported the bill and thought it was a smart approach.

Senator Guthertz spoke about the educational campaign and asked for ideas about the campaign itself. Senator Cristobal said that the Political Status Coordinating Commission had done a lot of work on this issue, and the United States has a responsibility in this area to conduct the education program.

Ms Leon Guerrero and Senator Cristobal agreed that the eventual vote would be decided on political, not racial grounds. The decolonization process is a political one and the definition of those who are eligible to vote is politically based, not racially based.

Senator Cristobal and Ms Leon Guerrero warned that some members of the community were trying to push the "Chamorro only" label onto this process, when in fact this is not the case.

Senator Respicio thanked those who testified and then concluded the hearing on Bill 184-30 (COR).



### III. FINDINGS & RECOMMENDATIONS

The Committee on Rules, Natural Resources and Federal, Foreign & Micronesian Affairs finds that Bill No. 184-30 (COR) requires significant amending to meet the intent established at the public hearing. The following changes have been made:

- a. The title has been amended to properly reflect the sections of Guam Code being amended;
- b. Section 1, Findings, amended to add the finding that a restructuring of the Commission on Decolonization could assist the Commission in meeting on a more regular basis;
- c. Section 2, technical correction to amendatory section;
- d. Section 3, adds a new section relative to including Chamorro Land Trust registrants to be included on the registration roll of the Guam Decolonization Registry.
- e. Section 4, amends the makeup of the Decolonization Commission by reducing the number of Governor's appointees to the Commission from three (3) to two (2) and places *I Liheslatura's* chairperson on Federal Affairs on the Commission as Vice Chairperson, and makes a technical correction to the last paragraph.

This Committee wishes to note that a request for a Fiscal Note (attached) on Bill No. 184 (COR) was received by the Bureau of Budget and Management Research (BBMR) on August 7, 2009, however, no response was received from BBMR by August 27, 2009, the fourteen (14) (working) day deadline prescribed by 2 GCA §9105, "Timely Response for Submission of Fiscal Note." Accordingly, as further prescribed by said section, this Committee hereby finds the fiscal note requirement for Bill No. 184 (COR) waived.

The Committee on Rules, Natural Resources and Federal, Foreign & Micronesian Affairs hereby reports out Bill No. 184-30 (COR), as Substituted by the Committee on Rules, Natural Resources and Federal, Foreign & Micronesian Affairs, with the recommendation to do pass.



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

August 4, 2009

Ms. Bertha Duenas  
Director  
Bureau of Budget and Management Research  
Office of the Governor  
Adelup, Guam

Hafa Adai Ms. Duenas,

I hereby request fiscal notes on the following bills:


**BILL NO 152 (COR): AN ACT TO REPEAL AND REENACT SECTION 68975 ARTICLE 11, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO FARMER'S COOPERATIVE ASSOCIATION OF GUAM. Note: This was previously requested on June 30, 2009.**


**BILL NO. 30-184 (COR): AN ACT TO ADD NEW SECTION (i) TITLE 21 CHAPTER 75 §75108 AND TO ADD A NEW SECTION 21006.1, TITLE 3, CHAPTER 21 RELATIVE TO THE DECOLONIZATION REGISTRY.**

**BILL NO. 195-30 (COR): AN ACT TO REPEAL AND REENACT §51821 OF ARTICLE 8, OF CHAPTER 51, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS.**

Thank you for your assistance.

*Si Yu'os Ma'ase,*

  
ben c. pangelinan  
Senator

  
Edilio S. Aguilar  
CFO

Date: 8-7-09 9:03am

***I MINA'TRENTA NA LIHESLATURAN GUAHAN***  
**2009 (First) Regular Session**

**Bill No. 184-30 (COR)**

As substituted by the Committee on Rules, Natural  
Resources, and Federal, Foreign & Micronesian Affairs,

Introduced by:

v. c. pangelinan

---

**AN ACT TO *ADD* A NEW SUBITEM (i) TO TITLE 21  
GUAM CODE ANNOTATED, CHAPTER 75, § 75108;  
AND TO *ADD* A NEW §21002.1 TO TITLE 3 GUAM  
CODE ANNOTATED, CHAPTER 21; AND TO *AMEND*  
§2104 OF TITLE 1 GUAM CODE ANNOTATED  
CHAPTER 21 RELATIVE TO THE COMMISSION ON  
DECOLONIZATION.**

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

**Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that Public Law 23-147 established Guam policy with respect to the future political status of Guam, and Public Law 25-106 provided the mechanism to prepare for determination of that status with the establishment of the Guam Decolonization Registry, the index of names established by the Guam Election Commission for the purposes of registering and recording the names of the Native Inhabitants of Guam.

The process of registration of the eligible native inhabitants and their descendants continues today. Due to Guam's current status as one of only 16 non-self governing entities worldwide, as determined by the United Nations, the Legislature finds it is urgent that Guam take every opportunity to complete the registry expeditiously.

*I Liheslaturan Guåhan* further finds that the requirements that qualify a person as a Native Inhabitant for the Guam Decolonization Registry mirror the

1 qualifications set forth for Chamorro Land Trust recipients in 21 GCA 75101(d),  
2 which specifies: “The term Native Chamorro means any person who became a  
3 U.S. citizen by virtue of the authority and enactment of the Organic Act of Guam  
4 or descendants of such person.”

5 Since the decolonization registry is a registry to record eligible individuals  
6 for the purpose of conducting the decolonization plebiscite and not the final voter  
7 registry for the decolonization plebiscite itself, *I Liheslatura* finds it in the best  
8 interest of Guam to add the list of eligible Chamorro Land Trust residential lease  
9 applicants to the Guam Decolonization Registry.

10 *I Liheslatura* further finds that a simple restructuring of the Commission on  
11 Decolonization would help move the process forward by ensuring that the  
12 Commission meets regularly and provides the guidance and assistance necessary to  
13 achieve its mandated goals.

14 **Section 2. A new Subitem (i) is *added* to Title 21 Guam Code**  
15 **Annotated Chapter 75, §75108, to read:**

16 “(i) Upon completion of an application for a Chamorro Land Trust  
17 Commission lease, the lessee shall automatically and concurrently be  
18 registered with the Guam Election Commission Decolonization Registry.”

19 **Section 3. A new §21002.1 is *added* to Title 3 Guam Code Annotated,**  
20 **Chapter 21, to read:**

21 “§21002.1. **Registration of qualified CLTC applicants.** The  
22 Commission shall waive the affidavit of registration process for individuals  
23 that have received a Chamorro Land Trust Commission lease or have been  
24 pre-approved to receive Chamorro Land Trust Commission property lease.  
25 Those individuals shall be included on the registration roll of the Guam  
26 Decolonization Registry and are deemed registered *unless* the lessee requests  
27 in writing not to be included on the Decolonization Registry.”

1           **Section 4. Decolonization Commission membership. §2104 of Title 1**  
2   **Guam Code Annotated Chapter 21 is *amended* to read:**

3           **“§2104. Creation and Membership on Commission.** There is  
4           established a Commission on Decolonization for the Implementation and  
5           Exercise of Guam Self-Determination for the Native Inhabitants of Guam,  
6           which shall be composed of eleven (11) members, including the  
7           Chairperson:

8           ~~[*I Maga'lāhen Guåhan* shall serve as the Chairperson of the~~  
9           ~~Commission. Three (3) members of the Commission shall be appointed by *I*~~  
10          ~~*Maga'lāhen Guåhan*; one (1) shall be a member of and be selected by *I*~~  
11          ~~*Liheslaturan Guåhan*'s minority; one (1) member to be appointed by the~~  
12          ~~Speaker of *I Liheslaturan Guåhan*, who may appoint himself; one (1)~~  
13          ~~member of the Mayors Council to be appointed by the Council; one (1)~~  
14          ~~member to represent the task force members who are advocating the political~~  
15          ~~status of Independence to be appointed by the Chairman of the task force,~~  
16          ~~who may appoint himself; one (1) member to represent the task force~~  
17          ~~members who are advocating the political status of Free Association to be~~  
18          ~~appointed by the Chairman of the task force, who may appoint himself; one~~  
19          ~~(1) member to represent the task force members who are advocating the~~  
20          ~~political status of Statehood to be appointed by the Chairman of the task~~  
21          ~~force, who may appoint himself; and one (1) member to represent the youth~~  
22          ~~of Guam to be appointed by the Speaker of the Youth Congress from among~~  
23          ~~the qualified members of the Congress, who may appoint himself. The~~  
24          ~~Commission shall choose a Vice-Chairperson from among the members of~~  
25          ~~the Commission.]~~

26                   (a) *I Maga'lāhen Guåhan* shall serve as the Chairperson of  
27                   the Commission, and shall appoint two (2) members of the

1           Commission;

2           (b)   The chairperson of *I Liheslaturan Guåhan*'s committee  
3           with responsibilities over Federal Affairs shall serve as the Vice  
4           Chairperson of the Commission and shall serve as Chairperson in the  
5           absence of the Chairperson; in the event the legislative committee  
6           chairperson is not able to serve on the Commission, another member  
7           of *I Liheslaturan Guåhan* shall be designated by a majority vote of *I*  
8           *Liheslatura*.

9           (c)   One (1) member shall be appointed by the Speaker of *I*  
10          *Liheslaturan Guåhan*, who may appoint himself;

11          (d)   One (1) member shall be selected by and shall be from *I*  
12          *Liheslaturan Guåhan*'s minority;

13          (e)   One (1) member shall be appointed by the Mayors  
14          Council from among their membership;

15          (f)   One (1) member shall represent the task force members  
16          who are advocating the political status of Independence, to be  
17          appointed by the Chairman of the task force, who may appoint  
18          himself;

19          (g)   One (1) member shall represent the task force members  
20          who are advocating the political status of Free Association, to be  
21          appointed by the Chairman of the task force, who may appoint  
22          himself;

23          (h)   One (1) member to represent the task force members who  
24          are advocating the political status of Statehood, to be appointed by the  
25          Chairman of the task force, who may appoint himself; and

26          (i)   One (1) member to represent the youth of Guam to be  
27          appointed by the Speaker of the Youth Congress from among the

1           qualified members of the Congress, who may appoint himself.

2           No person shall be eligible to serve as a member of the Commission  
3       *unless* that person shall be ~~a citizen of the United States~~ qualified to vote on  
4       the plebiscite for political self-determination. [~~Except for the Chairperson,~~  
5       ~~members shall serve throughout the life of the Commission and shall elect~~  
6       ~~among themselves a Vice Chairperson, who shall serve as Chairperson in~~  
7       ~~the absence of I Maga'lahaen Guåhan.~~] Vacancies in the membership shall  
8       be filled in the same manner as the original appointment.

9           Without being excused pursuant to a motion passed by the  
10       Commission, Any appointed member of the Commission who fails to  
11       attend[, ~~Without being excused pursuant to a motion passed by the~~  
12       ~~Commission~~] three (3) consecutive regularly scheduled meetings shall  
13       automatically be disqualified to continue serving in his or her position and  
14       the appointing authority shall then be required to appoint a replacement for  
15       said member.”

16       **Section 5. Severability.** If any of the provisions of this Act or the  
17       application thereof to any person or circumstance is held invalid, such invalidity  
18       shall not affect any other provision or application of this Act which can be given  
19       effect without the invalid provision or application, and to this end the provisions of  
20       this Act are severable.

21       **Section 6. Effective Date.** Sections 2 and 3 of this act shall be effective  
22       retroactive to March 1, 1993, the month during which the Chamorro Land Trust  
23       Commission held its first official meeting.

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I MINA TRENTA NA LIHESLATURAN GUÅHAN  
2009 (First) Regular Session

Bill No. 30-184 (COR)

Introduced by:

v.c. pangelinan

2009 JUL 20 PM 4:15



AN ACT TO ADD A NEW SECTION (i) TITLE 21,  
CHAPTER 75, §75108 AND TO ADD A NEW SECTION  
21006.1 TITLE 3, CHAPTER 21 RELATIVE TO THE  
DECOLONIZATION REGISTRY

BE IT ENACTED BY THE PEOPLE OF GUAM:

- 1       **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
2       that Public Law 23-147 established Guam policy with respect to the future  
3       political status of Guam, and Public Law 25-106 provided the mechanism to  
4       prepare for determination of that status with the establishment of the Guam  
5       Decolonization Registry, the index of names established by the Guam Election  
6       Commission for the purposes of registering and recording the names of the  
7       Native Inhabitants of Guam.

- 8       The process of registration of the eligible native inhabitants and their  
9       descendants continue today. Due to Guam's current status as one of only 16



1 non-self governing entities worldwide, as determined by the United Nations,  
2 the Legislature finds it is urgent that Guam take every opportunity to  
3 complete the registry expediently.

4 *I Liheslaturan Guahan* further finds that the requirements that qualify a  
5 person as a Native Inhabitant for the Guam Decolonization Registry mirror  
6 the qualifications set forth for Chamorro Land Trust recipients in 21 GCA  
7 75101(d), which specifies: “The term *Native Chamorro* means any person who  
8 became a U.S. citizen by virtue of the authority and enactment of the Organic  
9 Act of Guam or descendants of such person.”

10 Since the decolonization registry is a registry to record eligible  
11 individuals for the purpose of conducting the decolonization plebiscite and  
12 not the final voter registry for the decolonization plebiscite itself, *I Liheslatura*  
13 finds it in the best interest of Guam to add the list of eligible Chamorro Land  
14 Trust residential lease applicants to the Guam Decolonization Registry.

15 **Section 2. A new Section is hereby added to Section (i) Title 21**  
16 **Chapter 75, §75108 of Guam Code Annotated to read:**

17 The lessee shall apply to be registered with the Guam Election  
18 Commission Decolonization Registry upon completion of his application for  
19 Chamorro Land Trust Commission lease.

20 **Section 3. Registration of qualified CLTC applicants. Add a new**  
21 **21006.1 to Chapter 21 of Title 3, Guam Code Annotated, to read:**

22 **21006.1. Registration of qualified CLTC applicants.** Upon enactment  
23 of this Act, the Guam Election Commission shall waive the application for

1 registration process for individuals that have received a Chamorro Land Trust  
2 Commission lease or have been pre-approved to receive Chamorro Land  
3 Trust Commission property lease. Those individuals shall be included on the  
4 registration roll of the Guam Decolonization Registry and are deemed  
5 registered.

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

*I Mina* Trenta na Libeslaturan Guåhan  
THIRTIETH GUAM LEGISLATURE

Monday, September 28, 2009 - 9:00 AM

*I Liheslatura • Public Hearing Room • Hagåtña, Guam*

**Bill No. 184-30 (COR)** – v.c. pangelinan – “An act to add a new Section (i) Title 21, Chapter 75, §75108 and to add a new Section 21006.1 Title 3, Chapter 21 relative to the Decolonization Registry.”

[illegible]

3/21/97