FILE COPY

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 26th day of February, 2010, 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 1 day of Mar, 2010, at 5:40 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____
Public Law No. _____

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.

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 sixteen (16) non-self governing entities worldwide, as determined by the United Nations, *I Liheslaturan* finds it is urgent that Guam take every opportunity to complete the registry expediently.

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

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

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

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

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

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

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

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

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

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

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

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

Liheslaturan Guåhan, who may appoint himself;

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

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

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

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

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

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

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

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

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

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

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