

MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 66 (LS)

Introduced by:

B.J.F. Cruz

2009 FEB 17 AM 10:56
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AN ACT TO PROVIDE A LEGISLATIVE SUBMISSION FOR CONSIDERATION BY GUAM'S VOTERS WITHIN NINETY (90) DAYS FROM THE ENACTMENT OF THIS ACT; TO DETERMINE WHETHER RESIDENTS SUPPORT THE UNITED STATES MILITARY BUILDUP ON GUAM; TO DETERMINE IF THE GUAM ANCESTRAL LANDS COMMISSION SHOULD LEASE ANCESTRAL LANDS AND SPANISH CROWN LANDS AND IF THE CHAMORRO LAND TRUST COMMISSION SHOULD LEASE LAND TRUST LAND TO THE UNITED STATES MILITARY ON GUAM; AND TO HOLD A SPECIAL ELECTION PURSUANT TO §17212, CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED.

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

2 **Section 1. Legislative Intent.** *I Liheslaturan Guåhan* finds that the
3 people of Guam demand greater participation in matters that affect them.
4 One avenue through which voters may more fully participate in the
5 democratic process is a legislative submission. The issue of supporting the
6 United States military buildup on Guam in addition to the leasing of
7 Ancestral and Spanish Crown lands from the Guam Ancestral Lands
8 Commission (GALC) or Land Trust lands from the Chamorro Land Trust
9 Commission (CLTC) to the United States Military has come to the forefront

1 due to ongoing discussions pertaining to the impending military buildup.
2 The military buildup on Guam requires the use of large amounts of land. *I*
3 *Liheslaturan Guåhan* finds that despite potential benefits to Guam's
4 economy from the impending buildup, the act of leasing out Ancestral and
5 Spanish Crown lands from the GALC and Land Trust lands from the CLTC
6 to the United States Military may create irreparable harm to the people of
7 Guam. The intent of the GALC and the CLTC is to either return land to the
8 people of Guam or compensate them for lands taken by the Spanish and
9 United States Military. To do otherwise is contrary to the policies adopted
10 by the Government of Guam to correct injustices imposed upon Guam's
11 indigenous people. *I Liheslaturan Guåhan* finds that it is appropriate for the
12 public to make its views known through a legislative submission regarding
13 whether to allow the leasing of Ancestral and Spanish Crown lands from the
14 GALC and Land Trust Lands from the CLTC to the United States Military.

15 **Section 2.** The Guam Election Commission, subject to the provisions
16 hereinafter set forth, shall conduct a special election as those terms are
17 defined by 3 GCA §§1107 and 1110 within ninety (90) days from the date of
18 the enactment of this Act. For the purposes of this Act, the term "date of
19 enactment" shall be as determined pursuant to 1 GCA §102.

20 **Section 3.** The election shall determine whether or not voters of
21 Guam support the United States military buildup on Guam in addition to the
22 leasing of Ancestral and Spanish Crown lands from the GALC and Land
23 Trust lands from the CLTC to the United States Military via legislative
24 submission certified by the Guam Election Commission as eligible for a
25 legislative submission vote.

26 **Section 4.** The questions put to voters shall be:

1 **Vote for only ‘Yes’ or ‘No.’ If you do not vote for either**
2 **‘Yes’ or ‘No’ or if you vote for both ‘Yes’ and ‘No’, your vote will**
3 **be invalid and will not be included in determining the outcome of**
4 **the election.**

5 **(1) “Do you support the military buildup on Guam?”**

6 **() Yes**

7 **() No**

8 **If you answered ‘Yes’, please proceed to question two (2).**

9 **Vote for only ‘Yes’ or ‘No.’ If you do not vote for either**
10 **‘Yes’ or ‘No’ or if you vote for both ‘Yes’ and ‘No’, your vote will**
11 **be invalid and will not be included in determining the outcome of**
12 **the election.**

13 **(2) “Shall authority be given to the Guam Ancestral Lands**
14 **Commission to lease Ancestral and Spanish Crown lands and the**
15 **CLTC to lease Land Trust lands to the United States Military:**

16 **() Yes**

17 **() No**

18 **Section 5.** Should a majority of voters who vote on Question 2 of this
19 measure vote “Yes”, the GALC shall be authorized to lease Ancestral and
20 Spanish Crown lands and the CLTC shall be authorized to lease Land Trust
21 lands to the United States Military.

22 **Section 6.** Should a majority of voters who vote on Question 2 of this
23 measure vote “No”, the GALC shall be prohibited from leasing Ancestral
24 and Spanish Crown lands and the CLTC shall be prohibited from leasing
25 Land Trust lands to the United States Military.

26 **Section 7.** Upon proof made to the satisfaction of the Legislature by
27 the Election Commission, the Legislature shall appropriate such funds as

1 may be required to conduct the election. Any expenditures shall be
2 documented and forwarded to the office of the Public Auditor for review.
3 Any unused funds appropriated to the Guam Election Commission for the
4 purposes of the special election shall be returned to the General Fund.

5 **Section 8.** This shall be a legislative submission pursuant to §17102
6 (c) and also pursuant to §17401 and §17402.

7 **Section 9.** For the purposes of this legislative submission, a special
8 election shall be held pursuant to §17212 Chapter 17, Title 3, Guam Code
9 Annotated.

10 **Section 10.** In the event that this act is declared invalid the election in
11 this act shall go forward pursuant to this act. The results of the election shall
12 be made known to President Barack Obama, the United States Congress,
13 The United States Department of Defense, and The United States
14 Department of Interior.