

I Mina'Trentai Kuåtro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
284-34 (COR)	FRANK B. AGUON, JR.	AN ACT TO ADD NEW §§ 75107.1, 75107.2, 75103.1, 75103.2, 75103.3, AND 75103.4 TO CHAPTER 75 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A TEMPORARY MORATORIUM OVER CHAMORRO LAND TRUST COMMISSION (CLTC) LAND LEASES AND LICENSES UNTIL ADMINISTRATIVE RULES AND REGULATIONS AS REQUIRED BY 21 GCA § 75103 HAVE BEEN DULY ADOPTED AND ADDED TO THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, TEMPORARILY REDUCING THE SALARY OF THE DIRECTOR OF LAND MANAGEMENT BY TWENTY-FIVE PERCENT (25%) DURING THE MORATORIUM, SUSPENDING THE AUTHORITY OF THE DEPARTMENT OF LAND MANAGEMENT DIRECTOR OVER THE CLTC DURING THE MORATORIUM, ABOLISHING THE POSITION OF ADMINISTRATIVE DIRECTOR OF THE CLTC, APPOINTING A TEMPORARY RECEIVER DURING THE MORATORIUM, AND AUTHORIZING THE VOIDING OF ANY IMPROPERLY AWARDED CLTC LEASE OR LICENSE.	5/14/18 9:33 a.m. AS CORRECTED 5/17/18 8:15 a.m.						

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

Bill No. 284-34 (COR)

As Corrected by Prime Sponsor.

Introduced by:

FRANK B. AGUON, JR.



AN ACT TO *ADD* NEW §§ 75107.1, 75107.2, 75103.1, 75103.2, 75103.3, AND 75103.4 TO CHAPTER 75 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A TEMPORARY MORATORIUM OVER CHAMORRO LAND TRUST COMMISSION (CLTC) LAND LEASES AND LICENSES UNTIL ADMINISTRATIVE RULES AND REGULATIONS AS REQUIRED BY 21 GCA § 75103 HAVE BEEN DULY ADOPTED AND ADDED TO THE GUAM ADMINISTRATIVE RULES AND REGULATIONS, TEMPORARILY REDUCING THE SALARY OF THE DIRECTOR OF LAND MANAGEMENT BY TWENTY-FIVE PERCENT (25%) DURING THE MORATORIUM, SUSPENDING THE AUTHORITY OF THE DEPARTMENT OF LAND MANAGEMENT DIRECTOR OVER THE CLTC DURING THE MORATORIUM, ABOLISHING THE POSITION OF ADMINISTRATIVE DIRECTOR OF THE CLTC, APPOINTING A TEMPORARY RECEIVER DURING THE MORATORIUM, AND AUTHORIZING THE VOIDING OF ANY IMPROPERLY AWARDED CLTC LEASE OR LICENSE.

2018 MAY 17 AM 8:15 

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

2 **Section 1.** A new § 75107.1 is hereby *added* to Chapter 75 of Title 21,
3 Guam Code Annotated, to read:

4 **“§ 75107.1. Leases to Chamorro, Licenses: Moratorium.**

1 (a) No lease or license shall be granted pursuant to 21 GCA §
2 75107 until the expiration of ninety (90) days from the date administrative
3 rules and regulations required by 21 GCA § 75103 have been duly adopted
4 by the Commission and have been added to the Guam Administrative Rules
5 and Regulations as published on the Compiler of Laws' website. Said period
6 shall be known as The Moratorium.

7 (b) The Temporary Receiver shall have all the authority of the
8 Administrator of the Chamorro Land Trust Commission and the Director of
9 Land Management to administer the personnel assigned to the Department
10 of Land Management, and to implement the provisions of this Chapter and
11 related laws during The Moratorium.

12 (c) The rules and regulations shall reference, include, codify,
13 correct and supplement the statutory regulations denominated as “The
14 Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust
15 Commission” in Public Law 23-38.

16 (d) The rules and regulations shall include express provisions
17 dealing with standards of conduct, conflicts of interest, disclosure, self-
18 dealing, honesty and ethics.

19 (e) The rules and regulations shall include “whistle blower”
20 protection for employees who report nonfeasance, misfeasance, or
21 malfeasance in the administration of this Chapter.”

22 **Section 2.** A new § 75107.2 is hereby *added* to Chapter 75 of Title 21,
23 Guam Code Annotated, to read:

24 “§ 75107.2. Leases to Chamorro, Licenses: Voidable. Any lease
25 or license awarded by the Commission may be voided upon petition to the
26 Superior Court by the Temporary Receiver or any interested person if the
27 Court finds that the lease or license was improperly awarded because the

1 awardee was ineligible or the lease or license was awarded on an inequitable
2 basis.”

3 **Section 3.** A new § 75103.1 is hereby *added* to Chapter 75 of Title 21,
4 Guam Code Annotated, to read:

5 **“§ 75103.1. Administration: Temporary Receiver During**
6 **Moratorium.** The Temporary Receiver shall have all the authority of the
7 Administrator of the Chamorro Land Trust Commission and Director of
8 Land Management to administer the provisions of this chapter and related
9 laws until the end of The Moratorium.”

10 **Section 4.** A new § 75103.2 is hereby *added* to Chapter 75 of Title 21,
11 Guam Code Annotated, to read:

12 **“§ 75103.2. Administration: Authority of the Director of Land**
13 **Management suspended.** The authority of the Director of Department of
14 Land Management to administer this Chapter is suspended during the
15 pendency of The Moratorium imposed by 21 GCA § 75107.1 of this
16 Chapter. The salary of the Director of the Department of Land Management
17 shall be reduced by Twenty-five percent (25%) during the pendency of The
18 Moratorium.”

19 **Section 5.** A new § 75103.3 is hereby *added* to Chapter 75 of Title 21,
20 Guam Code Annotated, to read:

21 **“§ 75103.3. Administration: Abolition of the Administrative**
22 **Director of the Chamorro Land Trust Commission.** The position of
23 Administrative Director of the Chamorro Land Trust Commission is
24 abolished and any statutory reference thereto however denominated is
25 repealed.”

26 **Section 6.** A new § 75103.4 is hereby *added* to Chapter 75 of Title 21,
27 Guam Code Annotated, to read:

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“§ 75103.4. Administration: Appointment of the Temporary Receiver. The Governor shall appoint the Temporary Receiver for a term coextensive with The Moratorium from among the retired judges and justices of the courts of Guam and the Commonwealth of the Northern Marianas. The salary of the Temporary Receiver shall be equal to the current salary of the incumbent of the position from which the temporary receiver retired.”