

I Mina'trentai Sietta Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
247-37 (COR) As amended by the Committee on Health, Land, Justice, and Culture; and further amended on the Floor.	Therese M. Terlaje Chris Barnett Joanne M. Brown Roy A. B. Quinata Tina Rose Muña Barnes Jesse A. Lujan Frank Blas, Jr.	AN ACT TO AMEND § 6118 AND 6A118 OF CHAPTER 6 AND 6A, TITLE 18, GUAM ADMINISTRATIVE RULES AND REGULATIONS RELATIVE TO THE APPROVAL OF LEASES FOR CERTAIN ELIGIBLE OCCUPANTS OF THE CHAMORRO LAND TRUST.	2/15/24 4:17 p.m.	2/19/24	Committee on Health, Land, Justice, and Culture	Request: 2/19/24 Waiver: 2/26/24	2/27/24 2:00 p.m.	9/12/24 10:19 a.m.	As amended Committee on Health, Land, Justice, and Culture
		TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	9/23/24	AN ACT TO AMEND § 6118 OF CHAPTER 6 AND § 6A118 OF CHAPTER 6A, TITLE 18, GUAM ADMINISTRATIVE RULES AND REGULATIONS; AND ADD A NEW § 75107(h) OF CHAPTER 75, AND A NEW § 75A107(h) OF ARTICLE 1, CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE APPROVAL OF LEASES FOR CERTAIN ELIGIBLE OCCUPANTS OF THE CHAMORRO LAND TRUST.	10/7/24	10/8/24	10/19/24				



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I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
Thirty-Seventh Guam Legislature

October 8, 2024

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 174-37 (COR), 193-37 (LS), 247-37 (COR), 249-37 (COR), 293-37 (COR), 328-37 (COR), 338-37 (COR), and Substitute Bill Nos. 124-37 (COR), 286-37 (LS), 327-37 (COR), and 334-37 (COR)** which were passed by *I Mina'trentai Siette Na Liheslaturan Guåhan* on October 7, 2024. (LS)

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (11)




COPY

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 247-37 (COR)**, “AN ACT TO *AMEND* § 6118 OF CHAPTER 6 AND § 6A118 OF CHAPTER 6A, TITLE 18, GUAM ADMINISTRATIVE RULES AND REGULATIONS; AND *ADD* A NEW § 75107(h) OF CHAPTER 75, AND A NEW § 75A107(h) OF ARTICLE 1, CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE APPROVAL OF LEASES FOR CERTAIN ELIGIBLE OCCUPANTS OF THE CHAMORRO LAND TRUST,” was on the 7th day of October 2024, duly and regularly passed.


Therese M. Terlaje
Speaker

Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 8th day of October 2024, at 9:00 o'clock A.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2024 (SECOND) Regular Session

Bill No. 247-37(COR)

As amended by the Committee on Health,
Land, Justice, and Culture; and further
amended on the Floor.

Introduced by:

Therese M. Terlaje
Chris Barnett
Joanne M. Brown
Roy A. B. Quinata
Tina Rose Muña Barnes
Jesse A. Lujan
Frank Blas, Jr.
Christopher M. Dueñas
Thomas J. Fisher
William A. Parkinson
Sabina Flores Perez
Joe S. San Agustin
Dwayne T.D. San Nicolas
Amanda L. Shelton
Telo T. Taitague

AN ACT TO *AMEND* § 6118 OF CHAPTER 6 AND § 6A118 OF CHAPTER 6A, TITLE 18, GUAM ADMINISTRATIVE RULES AND REGULATIONS; AND *ADD* A NEW § 75107(h) OF CHAPTER 75, AND A NEW § 75A107(h) OF ARTICLE 1, CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE APPROVAL OF LEASES FOR CERTAIN ELIGIBLE OCCUPANTS OF THE CHAMORRO LAND TRUST.

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

2 **Section 1. Legislative Findings and Intent.** This Act was introduced at the
3 request of the Administrative Director of the Chamorro Land Trust Commission. *I*
4 *Liheslatura* finds that Land Use Permits (LUPs) were issued from 1952 to 1975 for

1 (a) persons who have had all of their land acquired by the United States, the U.S.
2 Naval Government of Guam, or the government of Guam, and who have owned no
3 other land since January 1, 1946; and (b) persons who have had a substantial portion
4 of their land acquired by the United States, or the U.S. Naval Government since July
5 1, 1944, and the remaining portion of the whole land is not adequate or sufficient for
6 reasonable agricultural or residential purposes.

7 Those displaced landowners eligible for LUPS are also likely to be eligible
8 CLTC beneficiaries since the implementation of the Chamorro Land Trust Act as a
9 land restoration program meant to rectify the unjust taking of lands by the U.S.
10 government between 1898 and 1968. Despite all LUP properties subsequently being
11 transferred to CLTC, pursuant to the implementation of § 6118 of Chapter 6, Title
12 18, Guam Administrative Rules and Regulations of the Chamorro Land Trust rules
13 and regulations in 1995, those CLTC-eligible persons holding LUPs and maintaining
14 homes or farms and adhering to all the requirements of the Chamorro Land Trust
15 Act rules and regulations were allowed to remain on the CLTC properties and not
16 be evicted.

17 While these displaced landowners are allowed to continue to occupy the
18 property, without a lease they are not bound to the same terms and enforcement as
19 other CLTC lessees and are unable to apply for utilities, SBA assistance, or FEMA
20 assistance when necessary after disasters. Allowing these landowners who were
21 displaced by federal land takings and currently occupy CLTC lands to receive a
22 formal lease is consistent with the CLTC mission and eligibility criteria.

23 **Section 2.** § 6118 of Chapter 6, Title 18, Guam Administrative Rules and
24 Regulations, is hereby *amended* to read:

25 **“§ 6118. Leases to Native Chamorros: Awards to Occupants of**
26 **Homelands; When.**

1 (a) Notwithstanding the provisions of §§ 6108 to 6114, the
2 Commission shall not serve eviction notices to individuals who
3 presently reside and have continuously resided on Chamorro
4 homelands prior to July 12,1995, and who qualify under the Act.

5 (b) Persons presently holding land use permits and who
6 qualify under § 6106 will hereby maintain their home or farms,
7 adhering to all other requirements of the Act and these rules and
8 regulations.

9 (c) The Commission shall award leases to those that qualify
10 under Subsection (b) of this Section and § 6106, regardless of the date
11 and time of the application.

12 (d) In order to determine prior and continuous usage, an
13 applicant must submit a government-issued document indicating the
14 start date of continuous usage, including, but not limited to, a Land Use
15 Permit (LUP) or Mayor's certification."

16 **Section 3.** § 6A118 of Chapter 6A, Title 18, Guam Administrative Rules
17 and Regulations, is hereby *amended* to read:

18 **"§ 6A118. Leases to Eligible Beneficiaries: Awards to Occupants**
19 **of Homelands; When.**

20 (a) Notwithstanding the provisions of §§ 6108 to 6114 and §§
21 6A108 to 6A114, the Commission shall not serve eviction notices to
22 individuals who presently reside and have continuously resided on
23 Chamorro Land Trust property prior to July 12,1995, and who qualify
24 under the Act.

25 (b) Persons presently holding land use permits and who
26 qualify under § 6A106 will hereby maintain their home or farms,

1 adhering to all other requirements of the Act and these rules and
2 regulations.

3 (c) The Commission shall award leases to those that qualify
4 under Subsection (b) of this Section and § 6A106, regardless of the date
5 and time of the application.

6 (d) In order to determine prior and continuous usage, an
7 applicant must submit a government-issued document indicating the
8 start date of continuous usage, including, but not limited to, a Land Use
9 Permit (LUP) or Mayor's certification."

10 **Section 4.** A new Subsection (h) is added to § 75107 of Chapter 75, Title
11 21, Guam Code Annotated, to read:

12 "(h) The Commission shall not serve eviction notices to individuals
13 who presently reside and have continuously resided on Chamorro Land Trust
14 property prior to July 12, 1995, and who are eligible under the Act.

15 (1) Persons issued land use permits prior to July 12, 1995, and
16 who qualify under this Subsection or their successor pursuant to §
17 75109 of this Chapter will hereby maintain their home or farms,
18 adhering to all other requirements of the Act and the rules and
19 regulations. The Commission shall award leases to those that qualify
20 under this Subsection, regardless of the date and time of the application.

21 (2) In order to determine prior and continuous usage, an
22 applicant must submit a government-issued document indicating the
23 start date of continuous usage, including, but not limited to, a Land Use
24 Permit (LUP) or Mayor's certification."

25 **Section 5.** A new Subsection (h) is added to § 75A107 of Article 1, Chapter
26 75A, Title 21, Guam Code Annotated, to read:

1 “(h) The Commission shall not serve eviction notices to individuals
2 who presently reside and have continuously resided on Chamorro Land Trust
3 property prior to July 12,1995, and who are eligible under the Act.

4 (1) Persons issued land use permits prior to July 12, 1995, and
5 who qualify under this Subsection or their successors pursuant to §
6 75A109 of this Chapter will maintain their home or farms, adhering to
7 all other requirements of the Act and the rules and regulations. The
8 Commission shall award leases to those that qualify under this
9 Subsection, regardless of the date and time of the application.

10 (2) In order to determine prior and continuous usage, an
11 applicant must submit a government-issued document indicating the
12 start date of continuous usage, including, but not limited to, a Land Use
13 Permit (LUP) or Mayor’s certification.”