

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

2024 (SECOND) Regular Session

VOTING RECORD

NAME	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building October 7, 2024					
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin					✓	✓
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

TOTAL

13

0

**Not
Voting/
Abstained**

**Out
During
Roll Call**

2

Absent

2

Excused

CERTIFIED TRUE AND CORRECT:

JOAQUIN P. TAITAGUE
Clerk of the Legislature

I = Pass

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
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.

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Introduced by:

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 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
5 (a) persons who have had all of their land acquired by the United States, the U.S.
6 Naval Government of Guam, or the government of Guam, and who have owned no
7 other land since January 1, 1946; and (b) persons who have had a substantial portion
8 of their land acquired by the United States, or the U.S. Naval Government since July

1 1, 1944, and the remaining portion of the whole land is not adequate or sufficient for
2 reasonable agricultural or residential purposes.

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

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

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

21 **“§ 6118. Leases to Native Chamorros: Awards to Occupants of**
22 **Homelands; When.**

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

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

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

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

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

14 **“§ 6A118. Leases to Eligible Beneficiaries: Awards to Occupants**
15 **of Homelands; When.**

16 (a) Notwithstanding the provisions of §§ 6108 to 6114 and §§
17 6A108 to 6A114, the Commission shall not serve eviction notices to
18 individuals who presently reside and have continuously resided on
19 Chamorro Land Trust property prior to July 12,1995, and who qualify
20 under the Act.

21 (b) Persons presently holding land use permits and who
22 qualify under § 6A106 will hereby maintain their home or farms,
23 adhering to all other requirements of the Act and these rules and
24 regulations.

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

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

5 **Section 4.** A new Subsection (h) is added to § 75107 of Chapter 75, Title
6 21, Guam Code Annotated, to read:

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

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

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

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

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

25 (1) Persons issued land use permits prior to July 12, 1995, and
26 who qualify under this Subsection or their successors pursuant to §
27 75A109 of this Chapter will maintain their home or farms, adhering to

1 all other requirements of the Act and the rules and regulations. The
2 Commission shall award leases to those that qualify under this
3 Subsection, regardless of the date and time of the application.

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