

I Mina'trentai Singko Na Liheslaturan Guahan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
35GL-20-2039	Maria G. Cruz	Member	Guam Ancestral Lands Commission	7/20/20	Four (4) Years; March 27, 2020 - March 26, 2024	Committee on Health, Tourism, Historic Preservation, Land, and Justice	7/24/20	9/2/20 5:00 p.m.	10/7/20 1:27 p.m.		



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina'trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

October 5, 2020


The Honorable Tina Rose Muña Barnes

Speaker

I Mina'trentai Singko na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña Guam, 96910

VIA: **The Honorable Régine Biscoe Lee** 
Chairperson, Committee on Rules

RE: Committee Report on the Appointment of Maria G. Cruz to serve as a Member to the Guam Ancestral Lands Commission

Håfa Adai Speaker Barnes:

Transmitted herewith is the Committee Report on the **Executive Appointment of Maria G. Cruz** to serve as a *Member of the Guam Ancestral Lands Commission*, and which was referred to the Committee on Health, Tourism, Historic Preservation, Land and Justice.

Committee votes are as follows:

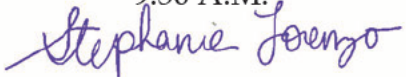
<u>4</u>	TO CONFIRM
<u>0</u>	TO NOT CONFIRM
<u>1</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES


RECEIVED:

OCTOBER 5, 2020

9:50 A.M.



Sincerely,


Therese M. Terlaje

Revisions Rec'd:

October 7, 2020 @ 11:52 A.M.

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina' trentai Singko na Libeslaturan Guåhan

35th Guam Legislature

COMMITTEE REPORT

Nomination of Maria G. Cruz

To Serve as a Member of the
Guam Ancestral Lands Commission

Term Length: Four (4) years;
March 27, 2020 to March 26, 2024

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

October 5, 2020

MEMORANDUM

To: All Members
Committee on Health, Tourism, Historic Preservation, Land and Justice

From: Senator Therese M. Terlaje *TMT*
Committee Chairperson

Subject: Committee Report on the Appointment of Maria G. Cruz

Transmitted herewith for your consideration is the Committee Report on the appointment of **Maria G. Cruz** to serve as a *Member of the Guam Ancestral Lands Commission*.

This report includes the following:

- Copy of COR Referral of the Appointment
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet & Supporting Documents
- Notices of Public Hearing & Other Correspondence
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!

Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedo" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

July 24, 2020

MEMO

To: **Rennae Meno**
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: **Senator Régine Biscoe Lee**
Chair, Committee on Rules

Re: **Referral of Appointment**

Bueñas yan Håfa Adai!

As Chair of the Committee on Rules, I am forwarding the referral of the following appointment:

Appointee: Maria G. Cruz

Position: Member, Guam Ancestral Lands Commission

The appointee's nomination packet may be referenced in the Guam Legislature's website at <http://guamlegislature.com/index/messages-and-communication/>. Please refer to the following document:

"35GL-20-2039– Office of the Governor of Guam – Appointment and Supporting Documents for Maria G. Cruz, Member, Guam Ancestral Lands Commission."

Please ensure that the aforementioned appointment is referred to the **Committee on Health, Tourism, Historic Preservation, Land and Justice, chaired by Senator Therese M. Terlaje.**

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Régine Biscoe Lee".

Senator Régine Biscoe Lee
Chair, Committee on Rules



I Mina Trental Kaitro Na Lihelaturan Guåhan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
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clerks@guamlegislature.org

From: Speaker's Office <speaker@guamlegislature.org>
Sent: Friday, July 24, 2020 8:58 AM
To: Clerks Office
Cc: Rennae Meno
Subject: Messages and Communications
Attachments: Appointment for Maria G. Cruz.pdf; Appointment for Brian K. Artero.pdf

07-23-20	4:50 PM	07-20-20	Appointment and supporting documents for Maria G. Cruz, Member, Guam Ancestral Lands Commission.	Office of the Governor of Guam	35GL-20-2039
07-23-20	4:50 PM	07-20-20	Appointment and supporting documents for Brian K. Artero, Member, Guam Land Use Commission.	Office of the Governor of Guam	35GL-20-2040



Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the
Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo spesiåtmente para hægu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi, put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todú siha I kopian mensåhi. Si Yu'os ma'åse'.

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

July 20, 2020

35GL-20-2039
Speaker Tina Rose Muña Barnes

Honorable Tina Rose Muña Barnes
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96932

JUL 23 2020
Time 4:50 (AM/PM)
Received By: [Signature]

RE: Board Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE: Maria G. Cruz
POSITION: Member, Guam Ancestral Lands Commission
TERM LENGTH: **Four (4) Years; March 27, 2020 – March 26, 2024**

The appointment is subject to the consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Senseramente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

cc: Lt. Governor of Guam

UPISINAN I MAGA HAGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

July 20, 2020

Maria G. Cruz
[REDACTED]

Dear Ms. Cruz:

Pursuant to my authority under 21 GCA § 80103, I am pleased to reappoint you to serve as a

MEMBER, GUAM ANCESTRAL LANDS COMMISSION
Term Length: Four (4) Years; March 27, 2020 – March 26, 2024

Your reappointment is a testimony to your commitment to service and the understanding of the great responsibility that this position requires and I know that you will continue to fulfill your duties in a professional manner for others to follow.

Once again, I appreciate your willingness to serve in this position, and I am confident that your time on the Board will be effective and productive.

As you are aware, this appointment is subject to the advice and consent of *I Liheslaturan Guahan*. If you have any questions or concerns, please contact Michael Weakley of the Governor's Office at 475-9477.

Senseramente,

LOURDES A. LEON GUERRERO
Maga'hagan Guahan
Governor of Guam

cc: Lt. Governor of Guam
Chairman, GALC
Executive Director, GALC

LOURDES A. LEON GUERRERO
Governor



JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM Nomination and Appointment Information Sheet

The following information is required for submission to the
Speaker of *I Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

NOMINEE INFORMATION

Last Name CRUZ	First Name MARIA	Middle Initial G
Mailing Address [REDACTED]		Apartment/Unit #
City [REDACTED]	State [REDACTED]	Zip Code [REDACTED]
Phone [REDACTED]	E-mail Address [REDACTED]	
Position to which Appointment is Made Member, Guam Ancestral Lands Commission		
Are you a citizen of the United States? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
If no, are you authorized to work in the United States? Yes <input type="checkbox"/> No <input type="checkbox"/>		

EDUCATION

SCHOOL (Name, City and State)	DATES OF ATTENDANCE	TYPE OF DEGREE	YEAR EARNED
High School John F. Kennedy High School, Tumon, GU	1968 - 1970	High School Diploma	1970
College University of Guam	1970 - 1972	General Courses	
Graduate School			
Other Degree			

EMPLOYMENT HISTORY

Name of Present/Last Employer and Mailing Address Victor M. Perez, M.D. Private Practice Guam	Position Title Office Manager
	Dates Held 4/2006 - 3/2015

Previous Employer and Mailing Address Wallace J. Burgess, CPA Private Practice Guam	Position Title Office Manager
	Dates Held 11/1995 - 1/2006

Previous Employer and Mailing Address Guam Housing & Urban Renewal Authority GHURA Government of Guam	Position Title Assistant Administrator
	Dates Held 1988 - 1995

Previous Employer and Mailing Address	Position Title
	Dates Held

Previous Employer and Mailing Address	Position Title
	Dates Held

PRIOR GOVERNMENT OF GUAM SERVICE

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)

<i>Agency or Department Name</i>		<i>Position Title</i>	
<i>Address</i>	<i>Phone No.</i>	<i>Dates Held</i>	

<i>Agency or Department Name</i>		<i>Position Title</i>	
<i>Address</i>	<i>Phone No.</i>	<i>Dates Held</i>	

TRAINING

<i>INSTITUTE/SEMINARS/ON-THE-JOB TRAINING</i>	<i>DATE</i>
Government Ethics	2016
Public Housing Manager Certification	1989
Housing Inspection Certification	1990
Performance Appraisal	1988

AWARDS

<i>List all educational, professional, civic awards, and recognition for public service:</i>

PROFESSIONAL INVOLVEMENT

<i>List involvement on a local/national/international level. List organizations, activities participated in, and offices held:</i>

COMMUNITY / CIVIC INVOLVEMENT

<i>List organizations, activities participated in, and offices held:</i>
Member, Guam Ancestral Lands Commission, 2002 - Present

PUBLICATIONS AND PRESENTATIONS

<i>List any published articles, papers delivered at professional meetings, etc.:</i>

MILITARY SERVICE (Please attach Form DD-214)

<i>BRANCH</i>	<i>DATES OF SERVICE</i>	<i>RANK AT DISCHARGE</i>	<i>TYPE OF DISCHARGE</i>

OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes No If so, please specify in detail: _____

Address of the Court: _____

Date(s) of Conviction: _____

Specific Infraction Committed: _____

(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?

Yes No If so, please specify in detail the reasons and facts related to such declaration:

(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?

Yes No

(4) Have you ever been confined to a mental institution for any reason?

Yes No If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:

LOURDES A. LEON GUERRERO
Governor



JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM

Statement of Financial Interests

(Required by 4 G.C.A. §13104.1)

TO: The Honorable Lourdes A. Leon Guerrero
Governor of Guam
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

FROM: Maria G. Cruz

- I have no financial interest in any business
- I do have interest(s) in the following business(es):

NAME AND ADDRESS OF BUSINESS INTEREST	TYPE AND AMOUNT OF INTEREST


Signature

1/23/2020
Date

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

Maria G. Cruz 
Print Name and Signature

7/23/2020
Date



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449

Fax (671) 472-2856

DANIELLE T. ROSETE

Clerk of Court

Name: **MARIA GUERRERO CRUZ**

SS#: ID# [REDACTED] Date of Birth: [REDACTED]

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:

- A. No Case Found
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

Criminal Record: Page 1 of 1

Civil Cases:

- A. [] No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Civil Record: Page 1 of 1

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 07/17/2020

DANIELLE T. ROSETE
Clerk of Court

BY: **CHRISTIANE CACHERO-XIAO**
Deputy Clerk



The absence of an original Court Seal invalidates this document

Prepared By: **CCX**



Government of Guam
GUAM POLICE DEPARTMENT
RECORDS & IDENTIFICATION SECTION
P.O. Box 23909
Guam Main Facility, Guam 96921



July 17, 2020

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Maria Guerrero CRUZ		
DATE OF BIRTH:	[REDACTED]	FINGERPRINT#:	NONE
■	The individual has no record of criminal conviction(s) in the Guam Police Department files that are subject to Guam law.		

*****NOTHING FOLLOWS*****

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.

By Direction: roque

The absence of an original GUAM POLICE seal invalidates this police clearance.
REVISED 04/26/2019

STEPHEN C. IGNACIO
Chief of Police



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

First Notice- Virtual Public Hearing- Wednesday, September 2, 2020 beginning at 5:00 p.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Wed, Aug 26, 2020 at 3:16 PM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telena Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>
 Cc: Guam MIS <mis@guamlegislature.org>, phnotice@guamlegislature.org, Audio / Video <av@guamlegislature.org>
 Bcc: Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcrisost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@ , KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@ , Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@ , Andrea Pellacani <andrea@grassrootsguam.com>, Guam Progress <guamprogress@yahoo.com>, Kelly Park <kcn.kelly@ , brian@ .net, Ibarra Hernandez <ihernandez@guamlegislature.org>, marcruzk , maria.cruz@galc.guam.gov, Jack Hattig <jack.hattig@cltc.guam.gov>, john.burch@dpr.guam.gov, John Reyes <johnreyes >, @gmail.com

August 26, 2020

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson
 Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **FIRST NOTICE of Virtual Public Hearing** - Wednesday, September 2, 2020 beginning at 5:00 p.m.

Håfa Adai!

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a virtual public hearing on **Wednesday, September 2, 2020 beginning at 5:00 p.m** utilizing the Zoom meeting virtual platform, on the following agenda items:

Confirmation Hearings for the following Executive Appointments:

John F. Reyes to serve as a Member of the CHamoru Land Trust Commission

Jefferey B. Rios to serve as a Member of the Guam Ancestral Lands
Commission

Maria G. Cruz to serve as a Member of the Guam Ancestral Lands
Commission

Individuals wishing to participate in the Virtual Confirmation Hearings to provide testimonies may contact the Office of the Senator Therese M. Terlaje before COB on August 31, 2020, via email at senatorterlajeguam@gmail.com or 472-3586, for further guidance.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4, and stream online via *I Liheslaturan Guåhan*'s live feed on Youtube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. Written testimonies may be submitted via email to senatorterlajeguam@gmail.com.

In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Senator Therese M. Terlaje by phone or via email. We look forward to your participation! *Si Yu'os Ma'åse'*.

--

Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Mailing address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

August 26, 2020

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson ^{TMT}
Committee on Health, Tourism, Historic Preservation, Land and Justice

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AGENDA

Confirmation Hearings for the following Executive Appointments:

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- Jefferey B. Rios to serve as a Member of the Guam Ancestral Lands Commission
- Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission

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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

First COVID reinfection documented in Hong Kong, researchers say

(The Washington Post) - A Hong Kong man who was initially infected with COVID-19 in April and made a full recovery was reinfected more than four months later after a trip abroad, researchers reported Monday.

The pre-print study, by a team at the University of Hong Kong and accepted for publication by the international medical journal Clinical Infectious Diseases, purports to be "the world's first documentation" of a patient who recovered from COVID-19 becoming reinfected. Researchers sequenced the genome of his first and second infections to show the virus strains were different, suggesting he had been reinfected.

The findings, which have not been peer-reviewed, have potential implications for vaccine use, as well as policies based around the concept of herd immunity that presume those who recover from the virus are unlikely to be reinfected. While there have been many anecdotal reports of reinfection, until now, they have not been confirmed and it remains unknown how often they might occur.

The fact that the man had no symptoms the second time suggests his immune system protected him from disease, although it did not stop the reinfection.

Merkel: Russia must investigate suspected poisoning of Navalny

BERLIN (Reuters) - German Chancellor Angela Merkel on Monday called on Russia to investigate the suspected poisoning of Russian opposition figure Alexei Navalny and hold the perpetrators accountable after doctors found indications of a toxic substance in his body.

A critic of Russian President Vladimir Putin, Navalny last week collapsed on a plane after drinking tea while on his way to campaign in Siberia. He was flown to Germany for treatment on Saturday.

The Kremlin has said it was unclear what caused Navalny to fall ill and that initial tests did not show he was poisoned, as his aides charged.

But German doctors treating Navalny at a Berlin hospital said on Monday that medical examinations indicated poisoning with some kind of cholinesterase inhibitor, although the specific substance is not yet known.

"In light of the prominent role played by Mr. Navalny in the political opposition in Russia, the authorities there are now urgently called upon to investigate this crime to the last detail - and do so in full transparency," Merkel said in a joint statement with Foreign Minister Heiko Maas.

"Those responsible must be identified and held accountable," Merkel added.



MEDEVAC: Medical specialists carry Russian opposition leader Alexei Navalny on a stretcher into an ambulance on their way to an airport before his medical evacuation to Germany in Omsk, Russia, on Aug. 22. Alexey Malgavko/Reuters

'Clinical findings indicate poisoning'

Berlin's Charite hospital said a team of doctors there had examined him in detail after his arrival. "Clinical findings indicate poisoning with a substance from the group of cholinesterase inhibitors," the hospital said in a statement.

"The specific substance involved remains unknown, and a further series of comprehensive testing has been initiated."

Russian health officials contradicted the German diagnosis, saying Navalny had tested negative for cholinesterase inhibitors when he was hospitalized in Omsk last week.

Navalny showed no signs of having been poisoned when he was admitted to the clinic and tests were carried out on him to check for a wide range of substances, including inhibitors, the health ministry in Omsk said in a statement.

Canadian Conservatives choose O'Toole to lead fight against Trudeau

By Amanda Coletta
Special to The Washington Post

TORONTO - With the possibility of a federal election looming, Canada's Conservatives have chosen a lawyer and military veteran who promised to repeal the carbon tax and "stand up to cancel culture" to lead them

against the Liberal government of Prime Minister Justin Trudeau.

Erin O'Toole, 46, won the Conservative Party leadership election with 57% of the vote in the third round early Monday. It was an upset over Peter MacKay, a 54-year-old lawyer who spent nearly a decade in Prime Minister Stephen Harper's cabinet and entered the race as the front-runner.

O'Toole takes over the party at a critical time in Canada, with more than 9,000 people dead from

the novel coronavirus, the country attempting to reverse a steep economic downturn and Trudeau's government reeling from an ethics controversy.

"Erin O'Toole is probably the most serious political challenge that Trudeau has faced since he took over the prime ministership," said Andrew McDougall, a political scientist at the University of Toronto. "He's got a lot on his plate, and O'Toole has an opportunity here, I think, to do some real damage to the Liberal brand."

Office of the Attorney General
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Attorney for the People of Guam

IN THE SUPERIOR COURT OF GUAM
HAGATÑA, GUAM

IN THE INTEREST OF
J.X.D., (DOB: 03/29/2012), AND
A.D.R. (DOB: 03/17/2009)
Minors.

JUVENILE CASE NO. JP0180-16

SUMMONS

TO: Mr. William S. French
(For minor, J.X.D., (DOB: 03/29/2012))

You are hereby summoned to appear before the HONORABLE LINDA L. INGLES at the Judiciary of Guam, Superior Court of Guam, 120 West O'Brien Drive, Hagatna, Guam for a Permanency hearing on: **TUESDAY, SEPTEMBER 22, 2020 AT 11:00 A.M.**
Teleconference call in number: 969-7000
Code: 11533027931
Meeting ID: 716 711 9213
Passcode: 76504

You may be held in contempt if you fail to appear on the date set forth in this summons.

Dated: August 8, 2020

CLERK, SUPERIOR COURT OF GUAM
By: /s/ Aubrienne M. San Nicolas
Deputy Clerk

R
GOVERNMENT OF GUAM
RETIREMENT FUND
424 Route 8 • Maite, Guam 96910
T: 671.475.8900/01 • F: 671.475.8922

PUBLIC NOTICE

For: **Regular Board Meeting**
Date: **Friday, August 28, 2020**
Time: **10:00 a.m.**
Place: **GGRF Conference Room**
Agenda will be made available prior to the meeting. For individuals requiring special accommodations, please contact 475-8900/01.
/s/ Paula M. Blas, Director

Committee On Health,
Tourism, Historic Preservation, Land
and Justice

SENATOR THERESE M. TERLAJE
I Mina' Trental Singko na Liheslaturan Guåhan
35th Guam Legislature
VIRTUAL PUBLIC HEARING • 5:00 PM • WEDNESDAY, September 2, 2020

AGENDA:

- Appointment- John F. Reyes to serve as a Member of the Chamorro Land Trust Commission
- Appointment- Jefferey B. Rios to serve as a Member of the Guam Ancestral Lands Commission
- Appointment- Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission

Individuals who wish to provide testimony must register with the committee no later than 5:00 p.m. on August 31, 2020, via email at senatorterlajegum@gmail.com with their full name, contact number and email address. Written testimony may be submitted via email or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagatña, Guam 96910. In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to senatorterlajegum@gmail.com. The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan's live feed at: http://www.guamlegislature.com/live_feed.htm. This ad is paid for with government



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

SECOND NOTICE of Virtual Public Hearing - Wednesday, September 2, 2020 beginning at 5:00 p.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Mon, Aug 31, 2020 at 12:45 PM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, Senator William Mendiola Castro <sen.wilcastro@gmail.com>

Cc: Guam MIS <mis@guamlegislature.org>, Audio / Video <av@guamlegislature.org>, phnotice@guamlegislature.org, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcrisost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@ , KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@ >, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@ >, Andrea Pellacani <andrea@grassrootsguam.com>, Guam Progress <guamprogress@yahoo.com>, Kelly Park <kcn.kelly@ >, brian < >, Ibarra Hernandez <ihernandez@guamlegislature.org>, marcruzkt@gmsn.com, maria.cruz@galc.guam.gov, Jack Hattig <jack.hattig@cltc.guam.gov>, john.burch@dpr.guam.gov, John Reyes <johnreyes >, < >@gmail.com

August 31, 2020

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson
Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **SECOND NOTICE of Virtual Public Hearing - Wednesday, September 2, 2020 beginning at 5:00 p.m.**

Håfa Adai!

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a virtual public hearing on **Wednesday, September 2, 2020 beginning at 5:00 p.m** utilizing the Zoom meeting virtual platform.

AGENDA:**CONFIRMATION HEARINGS FOR THE FOLLOWING EXECUTIVE APPOINTMENTS:**

- **JOHN F. REYES to serve as a Member of the CHamoru Land Trust Commission**
- **JEFFEREY B. RIOS to serve as a Member of the Guam Ancestral Lands Commission**
- **MARIA G. CRUZ**

- John F. Reyes to serve as a Member of the CHamoru Land Trust Commission
- Jefferey B. Rios to serve as a Member of the Guam Ancestral Lands Commission
- Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission

Individuals wishing to participate in the Virtual Confirmation Hearings to provide testimonies may contact the Office of the Senator Therese M. Terlaje before COB on August 31, 2020, via email at senatorterlajeguam@gmail.com or 472-3586, for further guidance.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4, and stream online via / *Liheslaturan Guåhan's* live feed on Youtube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. Written testimonies may be submitted via email to senatorterlajeguam@gmail.com.

In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Senator Therese M. Terlaje by phone or via email. We look forward to your participation! *Si Yu'os Ma'åse'.*

--

Office of Senator Therese M. Terlaje**Committee on Health, Tourism, Historic Preservation, Land and Justice***I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Mailing address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.comwebsite: www.senatorterlaje.com

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**SECOND Notice of Public Hearing_Wednesday, September 2, 2020_TMT.pdf**

340K



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

August 31, 2020

MEMORANDUM

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From: Senator Therese M. Terlaje, Chairperson *TMT*
Committee on Health, Tourism, Historic Preservation, Land and Justice

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beginning at 5:00 p.m.

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AGENDA

Confirmation Hearings for the following Executive Appointments:

- John F. Reyes to serve as a Member of the CHamoru Land Trust Commission
- Jefferey B. Rios to serve as a Member of the Guam Ancestral Lands Commission
- Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission

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Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

Vigilance group urges Legislature to act on lack of transparency

The Vigilance Committee is calling out Gov. Lou Leon Guerrero and Lt. Gov. Joshua Tenorio's administration for failing to document meetings of the Physicians Advisory Group.

The advisory group, as a body, and certain of its members, have helped shape the administration's decisions on COVID-19 restrictions.

The committee had sought records of the advisory group's meetings under the Freedom of Information Act and Guam's Sunshine Act. On Aug. 28, the governor's office stated no documents are available for release in connection with the request for records.

Members of the advisory group stated previously a decision was made early not to take minutes of meetings because the advisory group members are volunteers and are donating their time to the advisory group while spending time away from their practices as physicians.

Lee P. Webber president of the Vigilance Committee, stated, in part: "The governor's attack on transparency must be aborted now. We are calling on you, the senators of the 35th Liheslaturan Guåhan, to act with deliberate speed and bring transparency to our government."

The committee called on Guam senators to take action.

"The stated purpose of the Vigilance Committee is to seek compliance with the Open Government Law and the Sunshine Reform Act by public officials and government representatives; and to promote

ways to improve the dissemination and disclosure of information to the general public, including, but not limited to, the following: detecting violations; causing the enforcement thereof; and working on strengthening the laws of disclosure on all fronts," Webber stated.

The Vigilance Committee also pointed out that early in the pandemic, one of the first actions taken by the administration was "to gut the Open Government Law denying the right of the people and their ability to hold their government accountable."

The administration has stated only the required publication of meeting announcements was suspended because of social distancing requirements during the COVID-19 pandemic.

"Now the governor has told us that the Physicians Advisory Council which exists to advise the governor on matters related to the spread of COVID-19 through coordination and expert advice is neither complying with the Open Government Law nor has it observed the rudimentary principles and requirements of every deliberative body," the committee stated.

The Vigilance Committee is a nonprofit organization dedicated to requiring compliance with the Open Government Law and the Sunshine Reform Act, according to Webber.

The administration was working on a response to the Vigilance Committee's press release but none was available as of press time.

(Daily Post Staff)

Global Health & Freedom Rally in Tumon



PROTEST: Demonstrators hold up signs during the Global Health & Freedom Rally in Tumon early Saturday morning. The rally was held to bring attention to the "authoritarian" approach by global leaders in response to the COVID-19 pandemic.

Haruo Simion/The Guam Daily Post

DUMPING continued from page 1

As for the minidump that sprang up on Wusstig Road, Savares said her staff members cleared what they could before Pandemic Condition of Readiness 1 was declared.

"The white goods are on hold because Global Recycling has closed because of PCOR1."

The site is "not a staging ground," Savares said.

Her staff removed 96 tires from the site on Tuesday, she said, and will put up barricades at the site, "so people don't put more stuff there."



Melissa Savares

Universal waste services

While Savares waits for PCOR1 to be lifted in order to continue to clear up the site, a long-term solution she supports is raising property taxes in order to fund universal waste services for the entire island.

"Maybe we increase that a little more and a third or a fourth that would go into solid waste and make sure everyone has a trash cart," she said.

PILING UP: Trash continues to pile up along a section of Wusstig Road in Dededo on Sunday. Residents continue to discard white goods and tires at the site despite a recent cleanup of the area by the Dededo Mayor's Office. David Castro/The Guam Daily Post



PORT AUTHORITY OF GUAM
 ATURIDAT I PUETTON GUAHAN
 Jose D. Leon Guerrero Commercial Port
 1026 Cabras Highway, Suite 201, Piti, Guam 96925
 Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
 website: www.portguam.com



Lourdes A. Leon Guerrero
 Governor of Guam
 Joshua F. Tenorio
 Lieutenant Governor

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PORT AUTHORITY OF GUAM (PAG) INVITATION FOR BID

BID NO: IFB/PAG-011-20
FOR: FLEET HEAVY EQUIPMENT PARTS BID
PRE-BID CONFERENCE: SEPTEMBER 09, 2020 TIME: 10:00 A.M.
PLACE: PAG - BOARD ROOM, 1ST FLOOR, ADMIN BLDG.
BID SUBMISSION: SEPTEMBER 15, 2020 TIME: 10:00 A.M.
 PAG PROC. OFFICE, 2ND FLOOR, ADMIN BLDG
BID OPENING PLACE: PAG BOARD ROOM, 1ST FLOOR, ADMIN BLDG.

A PDF file of the bid packet is available to download at www.portguam.com or a hard copy can be obtained at the PAG Procurement Office located on the 2nd floor of the PAG Admin Bldg. from 8:00 a.m. - 5:00 p.m., Monday through Friday excluding holidays until 09/15/2020. Bidders must register with the current contact information with PAG to ensure they receive any notices regarding changes or updates to the IFB. The Port will not be liable for failure to provide notice to any party who did not register current contact information. Bidders are required to attend the mandatory pre-bid conference and mandatory site visit in order to submit a bid proposal. This IFB is funded by the PAG's General Fund.

/S/ RORY J. RESPIICIO

Committee on Health,
 Tourism, Historic Preservation, Land
 and Justice



SENATOR THERESE M. TERLAJE
 I Mina'terental Singka na Liheslaturan Guåhan
 35th Guam Legislature

VIRTUAL PUBLIC HEARING • 5:00 PM • WEDNESDAY, September 2, 2020

AGENDA:

- Appointment- John F. Reyes to serve as a Member of the Chamorro Land Trust Commission
- Appointment- Jefferey B. Rios to serve as a Member of the Guam Ancestral Lands Commission
- Appointment- Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission

Individuals who wish to provide testimony must register with the committee no later than 5:00 p.m. on August 31, 2020, via email at senatorterelajeguam@gmail.com with their full name, contact number and email address. Written testimony may be submitted via email or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910. In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to senatorterelajeguam@gmail.com. The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via 11heslaturan Guåhan's live feed at http://www.guamlegislature.com/live_feed.htm. This ad is paid for with government funds.



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Notice of Confirmation Hearing- Wednesday, September 2, 2020 beginning at 5:00 p.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Wed, Aug 26, 2020 at 3:02 PM

To: [REDACTED], maria.cruz@galc.guam.gov

Hafa Adai Ms. Cruz,

Please see the attached notice of Confirmation Hearing scheduled for Wednesday, September 2, 2020. Please contact me with any questions or concerns that you may have, at 929-9272.

Respectfully,
Charissa L. Manibusan
Committee Director

--

Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Mailing address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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**Notice of Confirmation Hearing_Maria G. Cruz, GALC_TMT.pdf**

697K



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

August 26, 2020

Transmitted via Electronic Mail:

Maria G. Cruz
Appointee, Guam Ancestral Lands Commission
[REDACTED] maria.cruz@galc.guam.gov

Subject: Virtual Confirmation Hearing for Executive Appointment to serve as a Member of the Guam Ancestral Lands Commission

Håfa Adai Ms. Cruz,

Congratulations on your appointment to serve as a Member of the Guam Ancestral Lands Commission for a term length of Four (4) years; March 27, 2020 to March 26, 2024. A virtual Confirmation Hearing has been rescheduled for Wednesday, September 2, 2020 beginning at 5:00 p.m. Your appointment is the third item on the agenda, as follows:

- John F. Reyes to serve as a Member of the CHamoru Land Trust Commission
- Jefferey B. Rios to serve as a Member of the Guam Ancestral Lands Commission
- Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission

The Committee looks forward to your testimony and would like to encourage you to invite family, friends, and/or colleagues to provide oral or written testimony in support of your appointment. Individuals wishing to participate must contact our office via email at senatorterlajeguam@gmail.com or call 472-3586 to confirm participation and provide contact information before COB on August 31, 2020.

Pursuant to Legislative Resolution 323-35 (COR), adopted on April 30, 2020, the Guam Legislature's Standing Rules have been amended to temporarily authorize *I Liheslatura* to conduct committee meetings and public hearings remotely, during a public health emergency or state of emergency declared as a result of the effects of COVID-19 on Guam. The hearing will take place utilizing the Zoom video conference platform. The meeting log in link will be sent to you via email as soon as received by our MIS Division. The Guam Legislature Virtual Hearing Guidelines are included with this letter. Please contact my office at 472-3586 or via email, with any questions you may have.

Si Yu'os Ma'åse,


Therese M. Terlaje

Attachment: 35th Guam Legislature Virtual Hearing Guidance

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

35th Guam Legislature Virtual Hearing Guidance:

We ask for your cooperation and assistance in order to ensure a smooth and productive hearing by following these virtual hearing guidelines:

1. The public hearing will be conducted utilizing the Zoom virtual meeting platform. If you do not subscribe to Zoom, you can sign up for the app to your cell phone, lap top or desktop for free at <https://zoom.us/>. Laptops and desktops must include a built-in or external webcam.
2. Please LOG IN to virtual hearing at fifteen (15) minutes prior to hearing time. Our Office staff or MIS Division will conduct an audio check during that time.
3. Please ensure that your VIDEO remains ON and you are visible throughout the hearing.
4. Participants must be visible at all times and as much as possible, not engaged in other activities during the hearing.
5. Participants must log in from an area with good lighting, little to no background noise and good internet connectivity.
6. Please MUTE your AUDIO unless called upon to present, respond or to ask questions;
7. If you are having technical difficulties, kindly log off and return using the same link, we will work toward reconnecting you.
8. You may contact [REDACTED] (Charissa Manibusan, Committee Director, Office of Senator Therese M. Terlaje) if there are any changes to hearing attendance and to quickly relay immediate technical issues during the hearing to the Legislature MIS Division.
9. Further hearing protocol and decorum requirements will be announced at the beginning of the hearing.

Written testimony can be submitted to senatorterlajeguam@gmail.com, for those unable to participate in the virtual hearing. Written testimony will be read into the record, to the extent practicable. All testimony will be published in the Committee Report on the Guam Legislature website following the hearing.

The hearing will broadcast live on TV Channel 21GTA or Channel 117/60.4 Docomo; or via http://www.guamlegislature.com/live_feed.htm and on the Guam Legislature's YouTube Channel. A recording of the hearing will be available on YouTube at [Guam Legislature Media](#) after the hearing. We look forward to your participation!

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SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

VIRTUAL PUBLIC HEARING AGENDA

WEDNESDAY, September 2, 2020

via Zoom Conference Platform

Beginning at 5:00 p.m.

(Please log into hearing link at 4:45 p.m.)

- Appointment of John F. Reyes to serve as a Member, CHamoru Land Trust Commission for a three (3) year term; April 11, 2020 to April 10, 2023, to fill the seat of Amanda Santos, whose term has expired.
- Appointment of Maria G. Cruz to serve as a Member, Guam Ancestral Lands Commission for a four (4) term; March 27, 2020 to March 26, 2024.
- Appointment of Jeffrey B. Rios to serve as a Member, Guam Ancestral Lands Commission for a four (4) year term; March 27, 2020 to March 26, 2024, to fill the seat of Anthony JP Ada, whose term has expired.

Confirmation Hearing packets and testimony can be accessed here:

https://drive.google.com/drive/folders/1EfhB6aVt8_yf752TNxxG956AgZhdHIOx?usp=sharing

In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to senatorteralajeguam@gmail.com.

All testimony will be included in the Committee Reports for each agenda item and published on the [guamlegislature.org](http://www.guamlegislature.org) website. You can watch the hearing on *TV Channel 21GTA or Channel 117/60.4 Docomo*; or via http://www.guamlegislature.com/live_feed.htm A recording of the hearing will be available on YouTube at [Guam Legislature Media](#) after the hearing. *Si Yu'os Ma'åse'!*

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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I Mina'trentai Singko na Liheslaturan Guåhan
Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

Date: **Wednesday, September 02, 2020**

Time: **5:00 PM**

Appointment of Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission
 Term Length: Four (4) Years; March 27, 2020 to March 26, 2024

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Maria G. Cruz, Appointee					X		
2	Director John Burch, Guam Ancestral Lands Commission				X	X		
3								
4								
5								
6								
7								
8								
9								
10								

**BOARD OF
COMMISSIONERS**

Vacant
Chairperson

Vacant
Vice Chair

Vacant
Secretary/Treasurer

Angela M. Camacho
Commissioner

Louisa F. Wessling
Commissioner

Vacant
Commissioner

Vacant
Commissioner

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
<http://d.m.guam.gov>

Email Address:
dmdr@and.guam.gov

Telephone:
(671) 649 LAND (5263)
ext. 440/475

Facsimile:
671 649 5383



LOURDES A. LEON GUERRERO
Maga'haga • Governor

JOSHUA F. TENORIO
Sigundo Maga'lahi • Lieutenant Governor

KUMISION I TÀNO' SAINA-TA
(Guahan Ancestral Lands Commission)



John T. Burch
Acting Executive Director

August 7, 2020

Honorable Therese M. Terlaje
Senator and Chairwoman
Committee on Health, Tourism, Historic
Preservation, Land & Justice
I Mina'trentai Singko Na Liheslaturan Guåhan
35th Guam Legislature
173 Aspinall Ave.,
Ada Plaza Center Suite 207,
Hagatna, Guam 96910

Re: Confirmation Hearing for
Maria G. Cruz
Jeffrey B. Rios

Dear Senator Terlaje:

Thank you for the opportunity to testify in support of Governor Lou Leon Guerrero's nomination of Mrs. Maria G. Cruz to continue to serve as members on the Guam Ancestral Lands Commission.

With the consent of the Guam Legislature, their reappointment will help us to meet our mission of administering the Guam Ancestral Lands Act in order that ancestral landowners, their heirs and descendants may expeditiously exercise all the fundamental civil rights in the property they own; to provide just compensation for dispossessed ancestral landowners; and when appropriate, assist ancestral landowners in pursuit of just remedies. Their nomination for reappointment is testimony to their commitment to service and understanding of the great responsibility this position requires.

I look forward to Mrs. Orlino, Mrs. Cruz and Mr. Eclavea's reappointment to the Guam Ancestral Lands Commission and I thank them for agreeing to continue this hard but rewarding work. Therefore, I humbly request the Legislature to move forward quickly in filling these three positions.

Thank you for allowing me this opportunity to testify in support of their nomination.

Sincerely:



X

John T. Burch

John T. Burch

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CHAPTER 80
GUAM ANCESTRAL LANDS COMMISSION

- § 80101. Definitions.
- § 80102. Affirmation of and Authorization to Exercise a Fundamental Civil Right in Ancestral Real Property Also Known as Lands.
- § 80103. Guam Ancestral Lands Commission.
- § 80104. Powers and Duties of the Commission.
- § 80105. Transfer of Property to the Guam Ancestral Lands Commission.
- § 80106. Comprehensive Zoning Plan.

§ 80101. Definitions.

Whenever used in this Chapter:

(a) Ancestral Lands shall mean those lands owned privately by residents of Guam on or after January 1, 1930.

(b) Ancestral Lands Title shall mean that right and interest entitling an owner or owner's descendants or heirs to the repossession of property taken by the United States of America or the government of Guam on or after January 1, 1930, having thereafter been declared excess or, where not declared excess, in exchange therefor.

(c) Ancestral Property Right shall mean the right and interest that a private property owner has in relation to inherited land or lands possessed by private property owner's ancestor.

(d) Ancestral Title Registry shall mean the registry into which is entered all information pertaining to ancestral land claimants who are granted land title, either by land exchange or land recovery, in exchange for the permanent extinguishment of all claims thereto.

(e) Applicant shall mean any person or persons, legal entity or government, who files a claim in accordance with Chapter 80 of Title 21 of the Guam Code Annotated, and Articles 9 and 9A of Title 12 of the Guam Code Annotated.

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(f) Claims Registry shall mean the registry into which is entered information based on a determination by the Commission that a valid basis exists for an ancestral title claim by an applicant.

(g) Commission shall mean the Guam Ancestral Lands Commission.

(h) Conditional Awards Registry shall mean the registry into which is recorded information in relation to each determination made by the Commission with respect to an ancestral title and compensation application made by a claimant.

(i) Determination shall mean an administrative ruling by the Commission with respect to an applicant's request for an extinguishment of an ancestral claim.

(j) Excess Lands Registry shall be a listing of all lands declared excess by the Federal government and acquired by the government of Guam on or after the effective date of this Act.

(k) Just compensation for the purposes of Chapter 80 of Title 21 of the Guam Code Annotated, and Articles 9 and 9A of Title 12 of the Guam Code Annotated, as amended, shall mean only land recovery or land exchange, and shall also mean any other form of compensation other than a specifically described available land.

(l) Original land shall mean the actual specifically described land, in whole or in part, which was confiscated or condemned by the United States of America or the government of Guam on or after January 1, 1930, and have been thereafter declared excess to which a prior private ownership interest held by a resident of Guam on January 1, 1930 was previously attached.

(m) Original landowners registry shall mean the registry into which information pertaining to all lands taken and the names of owners whose properties were confiscated or condemned on or after January 1, 1930.

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(n) Replacement land shall mean land surplus to the Federal government or the government of Guam, and not in public benefit use, or needed for public benefit use, to which no private ownership interest was attached on January 1, 1930, and which may be used as a replacement for original lands confiscated or condemned by the United States government or the government of Guam.

SOURCE: Added by P.L. 25-045:3 (June 9, 1999).

§ 80102. Affirmation of and Authorization to Exercise a Fundamental Civil Right in Ancestral Real Property Also Known as Lands.

(a) The responsibility of the government of Guam to enforce rights in private property, as a civil right, pursuant to the laws of the United States of America applicable to Guam and the Laws of Guam is hereby acknowledged and reaffirmed. The responsibility of the government of Guam to also enforce the entire community's rights in public property, as common property, is also hereby acknowledged and reaffirmed.

(b) The government of Guam expects to eventually accept transfer of the ownership of lands to be disposed under 'The Guam Excess Lands Act' through the U. S. General Services Agency and as a result of decisions in 1993 and 1995 issued by the U.S. Base Realignment and Closure Commission, subject to certain specified encumbrances, including un-relinquished property rights retained either by the United States of America or other prior owners, with applicable judicial procedures available should disputes arise. However, it is recognized that a process does not now exist to recognize the ancestral land rights of landowners whose properties have not been declared surplus and may not ever be declared surplus by the military in the future. Likewise, the process established by Guam Public Law Number 22-145 for disposal of three thousand two hundred (3,200) acres of Guam excess lands does not apply to claimants whose claims are attached to excess land elsewhere.

(c) *I Liheslaturan Guåhan* recognizes that the rights of landowners to full use and enjoyment of their private property was long deprived because of unsettled issues described in the foregoing § 80103 of this Chapter. Therefore, to restore the rights of

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landowners to the use of their ancestral lands, *I Liheslaturan Guåhan* through this Chapter hereby affirms and formally recognizes the ‘Ancestral Property Right’; establishes an administrative process for the exercise of that right; and creates the Guam Ancestral Lands Commission and authorizes the Commission to administer the provisions of this Chapter in order that original landowners, their heirs and their descendants may expeditiously exercise all their fundamental civil rights in the property they own. The exercise of ‘ancestral property right’ claims shall be applicable to lands already declared excess by the Federal government and shall also be applicable to all future declaration of excess lands either by the United States Government or by the government of Guam.

SOURCE: Added by P.L. 25-045:3 (June 9, 1999).

§ 80103. Guam Ancestral Lands Commission.

(a) There is within the government of Guam the Guam Ancestral Lands Commission to carry out the purposes of this Chapter.

(1) The Commission *shall* be composed of seven (7) members appointed by I Maga’låhen Guåhan, with the advice and consent of I Liheslatura (the Legislature).

(A) Commissioners *shall* be residents of Guam and descendants or heirs of ancestral land owners.

(B) Members *shall* serve terms of four (4) years; provided, however, that of the members first appointed under this statute, two (2) shall be appointed for a term of one (1) year, two (2) shall be appointed for a term of two (2) years, and three (3) shall be appointed for a term of four (4) years.

(2) The current appointed members of the GALC *shall* continue to serve until the end of their current appointed terms.

(b) Vacancies. Vacancies in the membership of the Commission *shall* be filled by appointment by I Maga’låhen Guåhan in the same manner as initial appointments, as provided in Subsection (a) of this Section. Persons filling a vacancy must

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undergo the Legislative confirmation process, and *shall* serve for the unexpired portion of the term.

(c) Quorum. Four (4) Commissioners present *shall* constitute a quorum of the Commission for the conduct of administrative business. Five (5) Commissioners present *shall* constitute a quorum of the Commission to determine a land claim. A vote of a majority of the Commission members present *shall* be required for any action of the Commission.

(d) Administration. The Commission *shall* adopt rules and regulations governing the conduct of its affairs. It *shall* elect a chairperson and vice chairperson from among the Commissioners, and may employ an executive director and such staff as is necessary to carry out the duties set forth in this Chapter.

(e) Stipend. Each Commissioner *shall* receive the sum of Fifty Dollars (\$50.00) for attendance of each meeting of the Commission; provided, that such compensation *shall* not exceed One Hundred Dollars (\$100.00) per month.

SOURCE: Added by P.L. 25-045:3 (June 9, 1999). Amended by P.L. 25-180:2 (Jan. 3, 2001) to reduce quorum requirement. Amended by P.L. 33-197:1 (Dec. 15, 2016).

2017 NOTE: Subitem designations added pursuant to the authority of 1 GCA § 1606.

§ 80104. Powers and Duties of the Commission.

(a) Commission to Establish Ancestral Lands Registries. The Commission is directed to establish and maintain five (5) separate registries for the purposes of recording accurate information in the settlement of ancestral claims, as set out in the Subsections below.

(1) Original Landowners Registry. The Original Landowners Registry is a listing of all lands taken under the names of owners of record at the time of taking whose properties were confiscated or condemned by the United States of America, or by the government of Guam on or after January 1, 1930, as well as other pertinent location and ownership information in relation to the property. The Original Landowners Registry shall be used for the purpose of confirming an applicant's property claim, for future

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extinguishment upon receipt of just compensation, as defined by this Chapter.

(2) Excess Lands Registry. The Excess Lands Registry is a listing of all lands that have been declared excess by the Federal government or the government of Guam, including all lands that may be declared excess in the future by the government of Guam. The Excess Lands Registry shall be used for the purpose of identifying a specified lot or lots of land with which the Commission may use as just compensation in extinguishing ancestral claims.

(3) Claims Registry. The Claims Registry is a listing of all claims to ancestral title filed by applicants.

(4) Conditional Awards Registry. The Conditional Awards Registry is a listing of conditional awards of just compensation.

(5) Ancestral Title Registry. The Ancestral Title Registry is a listing of applicants granted land title in return for the surrender of all their ancestral property claims.

(b) Duties of Commission. In establishing all five (5) registries established in this Section,

(1) the Commission or designated staff shall investigate, record, file, report and respond to requests by ancestral land claimants for remedy, including government of Guam, whose land was taken by the United States or by the government of Guam on or after January 1, 1930. Remedy includes just compensation, as defined in § 80101 of this Act, which for purposes of this Chapter is defined as limited to the return of land or access to landlocked lots across public lands, if public lands block access to private property.

(2) The Commission shall establish, in accordance with the Administrative Adjudication Law, written procedures for extinguishment of Claims, award of just compensation and recordation of Ancestral Land Title, as well as other rules and regulations required to administer this Chapter.

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(3) The Commission shall promulgate rules and regulations to administer the Commission's functions in a fair, just, economical and expedient way, and shall establish fees and specify materials reasonably required to accompany applications in order to extinguish a claim in favor of a just compensation award.

(c) Four (4) Step Process for Extinguishment of Claims, Award of Just Compensation, and Recordation of Ancestral Land Title. The following four (4) step process shall be detailed within appropriate written procedures and rules and regulations to be prescribed by the Commission.

Step 1: Filing of Ancestral Claim – Applicant in this first step submits an application to the Commission containing applicant's assertion that applicant and others, if any, hold ancestral title in relation to a specified lot of land by virtue of inheritance. Based upon the information provided, the Commission shall make a determination if in fact a valid basis for an ancestral title claim exists. The ancestral title claim shall then be entered in the Claims Registry. The Claims Registry shall contain the information required to be entered, as established by the Commission by rules and regulations. The Commission must accept an application for determination of claim, provided the following minimum information is given:

(1) date on which application was submitted to the Commission;

(2) whether the application was submitted to the Commission, or Commission's designee, and the name of the Commission or designee;

(3) name and address for service of notification to the person(s) who is the claimant (This is the person who shall be the registered ancestral title claimant.);

(4) the area of land covered by the claim, including property descriptions and maps;

(5) description of the persons who it is claimed hold the ancestral title; and

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(6) other details about the claim as the Commission may deem appropriate.

The Claims Registry may be inspected by any member of the public during normal business hours. No part of the Claims Registry are to be kept confidential from the public.

The Commission must ensure that the Claims Registry is kept updated with details of any claims contained in applications given to the Commission, or of any application for amendments to a claim after a determination.

Step 2: Ancestral Title and Compensation Application. An applicant may exercise applicant's right to extinguish an ancestral claim by submitting an application to the Commission for a determination of a conditional title and compensation award. An applicant may submit an application in prescribed form for any of the following three (3) categories defined:

Category 1: Ancestral Title Determination – for a determination of ancestral title in relation to an area for which there is no approved determination of ancestral title;

Category 2: Compensation Application. This Chapter sets forth two (2) forms of compensation for future title claims which shall be either the return of original ancestral land, or just compensation, as defined in § 80101 of this Act, based upon mutually satisfactory negotiations between the government and the applicant. Before relinquishment of exchange land the Commission shall certify that the exchange lands show no history of ancestral ownership or ancestral ownership claim on or after January 1, 1930.

The Commission must accept an ancestral title and compensation application provided the following requirements are met by the claimants:

(1) that the kind of application falls within the three (3) categories defined above;

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(2) is in the prescribed form, as established by the Commission;

(3) contains the information required and as prescribed in relation to the matters sought to be determined;

(4) provide accompanying documents at the very minimum of which include:

(A) a sworn affidavit that the applicant:

(i) believes that ancestral title has not been extinguished in relation to any part of the land claimed; and

(ii) believes that all of the statements made in the application are true;

(B) a statement containing all information known to the applicant about interests in relation to any of the land or waters concerned that are held by persons other than as ancestral title holders;

(C) a description and map of the area over which the ancestral title is claimed;

(D) evidence of heirship;

(E) name and address of the person who is to be considered the claimant (The name of the person given under this item will become the registered ancestral title claimant.); and

(5) all accompanying fees as prescribed by the Commission.

Step 3: Conditional Award of Just Compensation. In awarding ancestral title and just compensation, the Commission shall issue a Certification of Award of Just Compensation on Condition of Extinguishment of Ancestral Title Claim. The Certification of Award of Just Compensation shall be entered into the Conditional Awards Registry. The Conditional Awards Registry shall contain as much of the information in relation to each determination as must be

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entered into the Register, at a minimum of which shall consist of:

- (1) name of the Commission or designee that made the determination;
- (2) date on which the determination was made;
- (3) area, location, and description of specific land covered by the determination;
- (4) the matters determined; and
- (5) other details about the determination or decision as the Commission deems appropriate.

The Conditional Awards Registry shall be made available for the public's inspection during normal business hours.

Step 4: Extinguishment of Ancestral Land Claim – An ancestral land claimant is granted claimant's land title either by land exchange or land recovery on the condition that the ancestral title holder surrenders all rights and interests in relation to ancestral land claims thereby permanently extinguishing all rights, interests and claims to the claims. Upon the Commission's issuance of title by an award of just compensation and extinguishment of claims, the ancestral title holder's name is removed from the Conditional Awards Registry, and is entered into the Ancestral Lands Title Register by the Commission. The Commission shall prescribe the appropriate form to effectuate issuance of compensation and extinguishment of ancestral claim. The Commission shall ensure that the ancestral title holder is issued a suitable property conveyance deed in full satisfaction of ancestral title holder's ancestral title award. Once listed as ancestral title holder after acceptance of specifically described land, the holder and all of holder's heirs, successors and assigns, and those who may assert subsequent claims derived from the holder, are forever barred from reentry into the Claims Registry.

(d) Director of Land Management to Reserve All Future Lands Received by Government of Guam Declared Excess for Entry into

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Excess Lands Registry. For the purposes of administering this Section, the Director of Land Management is authorized and required to reserve all future lands received by the government of Guam declared excess, and ensure that all information pertaining to excess lands, both current and future, are sent to the Commission for entry into the Excess Lands Registry. The Commission shall maintain and give the public the right to review the Excess Lands Registry.

(e) Land Bank. The Commission shall take title, as Trustees, of former Spanish Crown Lands and other non-ancestral lands that are conveyed by the Federal government to the government of Guam after the effective date of this Act, on behalf of ancestral landowners who, by virtue of continued government or public benefit use cannot regain possession or title to their ancestral lands.

The Commission shall establish a Guam-based trust to administer all assets and revenues of the land bank of the aforementioned lands and manage the lands, and act as the developer of the lands, if necessary, to the highest and best use. The Commission shall establish rules and regulations pursuant to the Administration Adjudication Law for the Guam-based trust. The resulting income shall be used to provide just compensation for those dispossessed ancestral landowners.

(f) Notification of Extinguishment of Ancestral Claims. The Commission shall ensure that all parties whose interests may be affected in the extinguishment of an ancestral claim are notified in writing, if at all possible, and through public notice in a Guam newspaper of general circulation.

(g) Appeal Through Judicial Process. If disputes arise from an application which cannot be resolved by the Commission, then any of the opposing parties may invoke the judicial process at the party's expense.

(h) Guam Ancestral Lands Commission Survey, Infrastructure, and Development Fund.

(1) The Guam Ancestral Lands Commission *shall* create a special fund called the Guam Ancestral Lands Commission Survey, Infrastructure, and Development Fund (Fund), which

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shall be maintained separate and apart from any other funds, and *shall not* be subject to the transfer authority of *I Maga'låhen Guåhan*.

(2) Notwithstanding any other provision of law requiring the deposit of proceeds to other funds, the Fund shall receive the net proceeds of all leases of Apra Harbor Reservation F-12 and Parcel N14-1 (the Polaris Point parcels) under the jurisdiction of the Guam Ancestral Lands Commission.

(3) The Fund *shall* be used for the surveying and mapping, purchase and installation of infrastructure, including paved access roads and commercial development, of Guam Ancestral Lands Commission properties, and for the administrative, operational, and financial support of these efforts.

(4) The Commission *shall* submit a report on a semi-annual basis to the Speaker of *I Liheslaturan Guåhan* of the revenues collected and expended from the Fund, and post the same on the website of the Guam Ancestral Lands Commission. The Fund *shall* be subject to audit by the Guam Public Auditor.

SOURCE: Added by P.L. 25-045:3 (June 9, 1999). Subsection (c) repealed and reenacted by P.L. 25-178:4 (Jan. 3, 2001). Subsection (h) added by P.L. 34-108:2 (June 5, 2018).

2017 NOTE: Subitem designations altered pursuant to the authority of 1 GCA § 1606.

§ 80105. Transfer of Property to the Guam Ancestral Lands Commission.

(a) Except in such circumstances where existing roads or easements may have been transferred to the Department of Public Works, any properties conveyed to the jurisdiction of the Department of Public Works in the area of Tiyan, formerly known as Naval Air Station, Agana (Brewer Field), are transferred to the Guam Ancestral Lands Commission and shall be deeded to the Guam Ancestral Lands Commission upon the effective date of this Act. The Guam Ancestral Lands Commission shall dispose of properties transferred pursuant to this Act in a manner consistent

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with and pursuant to the enabling legislation of the Guam Ancestral Lands Commission.

(b) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original Lots 159 and 159-1, all in the municipality of Piti. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land parcels and lots transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned “A” – Agricultural zone.

(c) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 166, originally owned by the Estates of Jose C. Leon Guerrero; Joaquin C. Leon Guerrero; Gil C. Leon Guerrero; Antonio C. Leon Guerrero; Filomena C. Leon Guerrero; Wenceslao C. Leon Guerrero and William C. Leon Guerrero. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land parcel and lot transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned “A” – Agricultural zone.

(d) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 135-1, originally owned by the Estate of Caridad Quitugua Hart, in the municipality of Piti. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land parcel and lot transferred by this Act in a manner consistent with

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and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned “A” – Agricultural zone.

(e) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 136-A PI, originally owned by the Estate of Juan San Nicolas Manibusan, in the municipality of Piti. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land parcel and lot transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned “A” – Agricultural zone.

(f) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 136-A 2 PI, originally owned by the Estate of Caridad Quitugua Hart, in the municipality of Piti. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land parcel and lot transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned “A” – Agricultural zone.

(g) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 128 PI, originally owned by the Estate of Tiburcio Ada Santos, in the municipality of Piti. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land

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parcel and lot transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned “A” – Agricultural zone.

(h) GLUP Parcel 1AF, a portion of Andersen Air Force Base Communications Annex No. 2-AJKE, consisting of approximately 252.83 acres, and certain Federal surplus real property located in Barrigada, known as the NAVCAMS WESTPAC Parcel IN, consisting of approximately 61.45 acres shall be transferred and deeded to the Guam Ancestral Land Commission (GALC) within thirty (30) days of the enactment of this Act. The GALC shall dispose of the land parcels and lots transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates.

(i) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 127 PI, originally owned by the Estate of Maria Salas San Nicolas, Antonia Salas San Nicolas, Carlina San Nicolas Rapolla, Joaquin S. San Nicolas, Juan S. San Nicolas, Maria S.-CI# 8383, San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte, Consolacion S. San Nicolas, Ignacia San Nicolas Afleje, Dolores C. San Nicolas, and Ana San Nicolas Sanford, in the municipality of Piti. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land parcel and lot transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned “A” – Agricultural zone.

SOURCE: Added by P.L. 27-113 as section 80106, renumbered by Compiler to vacant section 80105. Subsections (a) and (b), numbered and added, respectively, by P.L. 30-096:2 (Mar. 12, 2010). Subsections (c) and (d), added by P.L. 30-142:2 (May 12, 2010) and P.L. 30-150:2 (May 12, 2010), respectively. Subsections (e), (f), and (g), added by P.L. 30-205:2 (Dec. 13, 2010), P.L. 30-206:2. (Dec. 13, 2010), and P.L. 30-207:2 (Dec.

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13, 2010), respectively. Subsection (h) added by P.L. 31-134:2 (Nov. 17, 2011). Subsection (i) added by P.L. 32-013:2 (Apr. 11, 2013).

§ 80106. Comprehensive Zoning Plan.

(a) A Provisional Commission for the Zoning of Ancestral Lands, hereinafter referred to as the “Provisional Commission”, is established to include the Executive Director of the Guam Ancestral Lands Commission, the Director of Land Management, the Administrator of the Guam Environmental Protection Agency, the Director of Agriculture and the Director of the Bureau of Statistics & Plans. The Executive Director of the Guam Ancestral Lands Commission shall serve as chairperson of the Provisional Commission. Members of the Provisional Commission shall assign employees from their respective departments to assist the Commission in its work.

(b) The Provisional Commission shall complete a comprehensive zoning plan for all properties and parcels under the jurisdiction of the Guam Ancestral Lands Commission, including parcels that have been previously deeded to ancestral land claimants in accordance with the statutes, rules and regulations governing the Guam Ancestral Lands Commission but have not, as of the effective date of this Act, been zoned or rezoned by any means. If a parcel under the jurisdiction of the Guam Ancestral Lands Commission, including parcels that have been previously deeded to ancestral land claimants in accordance with the statutes, rules and regulations governing the Guam Ancestral Lands Commission, has been previously zoned or rezoned by any means other than that mandated herein, said parcel shall not be rezoned by the comprehensive zoning plan mandated by this Section.

(c) In formulating the comprehensive zoning plan, the Provisional Commission shall request and consider the opinions of all affected ancestral land claimants. The Provisional Commission shall conduct hearings and present a draft zoning plan to claimants before it adopts the plan.

(d) The Provisional Commission shall approve the plan by the affirmative vote of at least three (3) of the five (5) members before transmittal to the Ancestral Lands Commission.

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(e) After the Provisional Commission approves the comprehensive zoning plan, it shall transmit the plan to the Ancestral Lands Commission, which shall approve the plan by a resolution signed by a majority of its members. The Ancestral Lands Commission shall attach this resolution to the plan and transmit the same to *I Maga'lahi*.

(f) *I Maga'lahen Guåhan* shall approve the comprehensive zoning plan by a written memorandum which he shall attach to the plan and the approval resolution of the Ancestral Lands Commission and transmit the same to *I Liheslaturan Guåhan*.

(g) The comprehensive zoning plan mandated by this Section shall be subject to the approval of *I Liheslaturan Guåhan* in bill form.

SOURCE: Added by P.L. 28-133:1 (July 11, 2006) as § 80105; recodified to this section by the Compiler pursuant to the authority granted by 1 GCA § 1606.



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

The **Committee on Health, Tourism, Historic Preservation, Land and Justice** convened a virtual public hearing on **Wednesday, September 2, 2020** beginning at **5:00 PM** in I Liheslatura's Virtual Conference Platform. Among the items on the agenda was the consideration of the appointment of **Maria G. Cruz** to serve as a **Member** of the **Guam Ancestral Lands Commission**, and whose appointment history is as follows:

- Appointed by *I Maga' Hågan Guåhan* on **July 20, 2020** to serve **Four (4) years; March 27, 2020 to March 26, 2024;**
- Appointment packet forwarded to *I Liheslatura* on **July 23, 2020;**
- Appointment packet forwarded to this committee for public consideration on **July 24, 2020.**

Public Notice Requirements

Notices for this Confirmation Hearing were disseminated via email to all senators and all main media broadcasting outlets on **Wednesday, August 26, 2020** (5-day Notice) and again on **Monday, August 31, 2020** (48-Hour Notice). The notice was also published in the Guam Daily Post on **Wednesday, August 26, 2020 and Monday, August 31, 2020.**

Senators Present

Senator Therese M. Terlaje, Chairperson
Senator Sabina Flores Perez, Vice Chairperson
Senator Amanda L. Shelton, Committee Member
Senator Telo T. Taitague

Appearing Before the Committee

Maria G. Cruz, Appointee
Acting Director John Burch, Guam Ancestral Lands Commission

Written Testimony Submitted

Acting Director John Burch, Guam Ancestral Lands Commission

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was called to order at 6:15 p.m. Chairperson Therese M. Terlaje presented the agenda items that would be heard during the hearing. The appointment of Maria G. Cruz to serve as a Member of the Guam Ancestral Lands Commission was the second item on the agenda. Chairperson Therese M. Terlaje further stated the Guam Legislature's general rules of conduct for virtual hearings prior to proceeding with testimony.

Chairperson Therese M. Terlaje: We'll now move to the next item on our agenda we have two appointments to the Guam Ancestral Lands Commission, and I'd like to recognize the presence of the Director of the Ancestral Lands Commission, Mr. John Burch. Thank you for being here.

First, we will hear the appointment of Maria G. Cruz, Appointee. She is a reappointment. She has served on this Commission before.

Before I open it up for the panel, I would like to read the Ancestral Lands Commission's mission. It has a huge mission but I'm just going to read excerpts from it to remind everyone of the type of position that we are holding a confirmation hearing for tonight.

The Ancestral Lands Commission is made up of ancestral landowners and they are to establish and maintain five (5) separate registries for the purposes of recording accurate information in the settlement of ancestral claims. One is the Original Landowner's Registry. This is a listing of all lands taken under the names of owners of record at the time of taking, whose properties were confiscated or condemned by the United States of America or by the government of Guam on or after January 1930, as well as other pertinent location and ownership information in relation to the property. The Original Landowners Registry shall be used for the purpose of confirming an applicant's property claim for future extinguishment upon receipt of just compensation as defined by this chapter.

The second registry that they have to compile is the Excess Lands Registry and that is a listing of all lands that have been declared excess by the federal government or the government of Guam; including all lands that may be declared excess in the future. This registry shall be used for the purpose of identifying a specified lot or lots of land with which the Commission may use as just compensation in extinguishing ancestral claims.

The third registry is a Claims Registry and that is a listing of all claims of ancestral title filed by applicants.

The fourth is a Conditional Awards Registry. It's a listing of awards of just compensation and the fifth is the Ancestral Title Registry. This is a listing of applicants granted land title in return for the surrender of all their ancestral property claims.

The Commission shall investigate, record, file, reports and respond to requests by ancestral land claimants for remedy; including the government of Guam whose land was taken by the United States or by the government of Guam on or after January 1930. Remedy includes just compensation which for purposes of this chapter, is defined as limited to the return of land or access to landlocked lots across public lands if the public lands block access to private property and second the Commission shall establish, according to the Administrative Adjudication Law, written procedures for extinguishment of claims, award of just compensation, and recordation of ancestral land title, as well as other rules.

So, the Ancestral Lands Commission again, has a similar purpose to the Chamorro Land Trust in that it too was established by the government of Guam to remedy a past injustice, which was land taking by the United States government or by the government of Guam. It was designed to return these lands to the ancestral landowners. This Commission has a tribunal like role. They have to investigate, research, and make findings as to claims; whose land it was, was land taken and who is entitled to it now, and then they actually will pass the title to those people.

So again, it takes a lot to work on this Commission. It takes a sense of justice. You have to stay focused on what you're there for. This is for ancestral landowners and not for the benefit of anyone else. We have a lot of landowners whose land has not been returned by the federal government.

So, this Commission has also been tasked to try to bring some type of justice to those landowners who have not yet, and it is looking likely may never see their lands returned. The government has tried to bring them justice as well by authorizing this Commission to try to find ways.

One example is the Tiyán landowners whose land was returned by the federal government yet kept by the government of Guam because it sits under the airport runways and the

airport facility. So those are the types of property we're talking about and that I feel are the biggest challenges facing this Commission right now.

I want to acknowledge that these ancestral lands law, of course comes on the back of return of excess lands and the fight for the return of excess lands.

Which again with these battles, we are sitting on the shoulders of people who have fought these battles for us like the late Angel Santos jumping over the fence and all I Nasion CHamoru, and Congressman Robert Underwood who had set up a process within the federal government and passed laws to ensure a process for ancestral land. He got his colleagues in the United States Congress to recognize the injustice and try to remedy that through these laws and through the return of excess land to Guam in an expedited fashion.

Many other of our leaders like Congressman Bordallo who was there when they did return certain pieces of excess land and the Ancestral Lands Commission, prior to today, who have worked diligently over the years and continued to compile lists of land that they believed excess, that should be returned.

When we were having discussions on the military buildup, the Department of Defense had agreed not to take any more land for this buildup, and that their use of the land would have a net neutral effect so they would not expand their footprint or their takings of land on Guam. At that time, they had promised to return excess land and so the Ancestral Lands Commission had made a list of lands that could be returned, and we still continue our efforts to get those lands returned.

Mrs. Cruz, my apologies for that long introduction but sometimes I like to remind new generations in case they're listening about what you've been through to get to this point. I know it's taken a lot of hard work by each of these Ancestral Land Commissioners. Mrs. Cruz we are on your appointment now. I will ask if there's anyone to testify on your behalf.

I'm sorry, I need to check with my staff. Staff if they can read the list of those who've signed up to testify on behalf of Mrs. Cruz or if we should start with Mrs. Cruz. Mr. Burch all right we'll begin with the Director Burch. You may begin.

Acting Director John Burch: Thank you Madam Chair. Madam Chair. I'll speak on behalf of both nominees of the Governor for Ancestral Lands Commission.

Chairperson Therese M. Terlaje:

Yes. Let me just say their names then. We are talking about Maria G. Cruz, Appointee and the second nominee, Jeffrey Rios. Okay, thank you Mr. Burch.

Acting Director John Burch: Okay thank you and good evening everyone, Madam Chair Terlaje, Vice Chair Perez, Senator Taitague and any other senators who may be present at this time. My name is John Burch and I am the Acting Executive Director of the Guam Ancestral Lands Commission. Thank you for this opportunity to testify in support of Governor Lou Leon Guerrero's nomination of both Mrs. Maria G Cruz to continue to serve on the Guam Ancestral Commission and to our newcomer, Mr. Jeffrey B. Rios, to serve on the Guam Ancestral Lands Commission. With the consent of the Guam Legislature, their appointments will help us to meet our mission of administering the Guam Ancestral Lands Act in order that ancestral land owners, their heirs, and descendants may expeditiously exercise all the fundamental civil rights in the property they own, to provide just compensation for dispossessed ancestral landowners and when appropriate, assists ancestral landowners in pursuit of just remedies.

I look forward to Mrs. Cruz's reappointment and Mr. Rios's appointment to the Guam Ancestral Lands Commission and I thank them for agreeing to join us in this hard but rewarding work. Therefore, I humbly ask and request the legislature to move forward quickly in filling these Commission positions. Thank you.

Chairperson Therese M. Terlaje: Thank you very much Director. All right, so we will begin with Mrs. Cruz. Did you want to say a few words?

Senator Telo T. Taitague: She's muted.

Maria G. Cruz, Appointee: Can you hear me now?

Senator Telo T. Taitague: Okay, yes.

Maria G. Cruz, Appointee: I am honored to be asked by the Governor to continue as a member of the Guam Ancestral Lands Commission. It's really very rewarding to be a member of this Commission. At every land signing ceremony when folks bring up the past

and what had happened to them, how their land was taken and now here they see it being returned, I find myself crying with them. It's really become emotional because we feel that it's a lot of work for the Commission but it's really rewarding. I've enjoyed my years of working with the Guam Ancestral Lands Commission. There's still much work to be done. Yes.

Chairperson Therese M. Terlaje: Well thank you very much for your work Mrs. Cruz. it looks like you've been a member of the Ancestral Lands Commission since 2002. Is that correct?

Maria G. Cruz, Appointee: That's correct. I was also a follower of the late Angel Santos and that is why I was approached by the late Ed Benavente, because working for this commission, it's really not about the money. It's the involvement of being a part of the solution to what had happened to our people. So, you know, we've gone unpaid for our service for so many years and that didn't bother us. It was just a rewarding experience to work as a member of the Commission.

Chairperson Therese M. Terlaje: Thank you. So, you were on the commission when Ed Benavente was the Director?

Maria G. Cruz, Appointee: Yes, I was.

Chairperson Therese M. Terlaje: That's great. we miss those guys very much. They had a lot of vision and we're willing to work so very hard to get us to where we are today.

Maria G. Cruz, Appointee: Can I just tell you my story back when I was a land activist? I don't know if you remember *Familian Felisa*? I was part of that organization and that is why my heart in continuing to assist in the return of the land and I'm really dedicated to this Commission.

Chairperson Therese M. Terlaje: Thank you and Thank you for your being an activist. I think this Ancestral Lands Commission and the return of excess land is because of activists like you and your families so *Si Yu'os ma'åse'*.

Maria G. Cruz, Appointee: Thank you so much.

Chairperson Therese M. Terlaje: So, I'm going to ask you a few questions for the record, if that's alright with you. First is, do you have any continuing business or other interests that may be a conflict with you performing your duties as a member of the Guam Ancestral Lands Commission?

Maria G. Cruz, Appointee: No. I don't. I do not.

Chairperson Therese M. Terlaje: I see you were a former Assistant Administrator for GHURA.

Maria G. Cruz, Appointee: Yes, for Section 8 assistance. I was actually manager and then also doing the acting capacity for the Section 8 programs.

Chairperson Therese M. Terlaje: In your role as a Commissioner in the past, what would you say has been your biggest challenge?

Maria G. Cruz, Appointee: Well, our biggest challenge I feel, as a team, is having stable staff. We just need to have more staff and in permanent positions. We have a lot of work to do such as you know continuing to lease out properties to generate income. We still have a balance or rather the remaining list of families that we have not given the land back to. We've tried a lot of the outreach methods. So, I think if we are still going to continue and then if we do not find these families then we're going to have to find out, "What now? What do you want to do with these properties? Do you want to keep it under our inventory and put it as a crown land?" It's something for the senators to consider.

Chairperson Therese M. Terlaje: All right. I appreciate that. Yes, and I think it's worth one more try, at the very least, to find these families. So, we're going to work together with the commission to give it our all.

Maria G. Cruz, Appointee: Right.

Chairperson Therese M. Terlaje: I'm going to ask you something that I asked the other nominees a couple of weeks ago regarding an FY 2018 audit of the Ancestral Lands Commission by the Office of Public Accountability. Sorry, it was an FY19 audit and it says that FY 19 revenues were at six million (\$6,000,000) dollars, which was an increase from

FY18 due to the increase in base lease rental resulting from the settlement agreement with AT&T. This is one of the properties that the Ancestral Lands leases out. The audit reported an increase in expenditures by nine hundred thousand (\$900,000) dollars due mainly to the increase of seven hundred and twenty five thousand (\$725,000) dollars or a seven hundred and twelve (712%) percent increase in management fees incurred by the Ancestral Lands Commission for GEDA's services. GEDA's increased fees pertaining to AT&T lease payments amounted to \$4.9 million dollars. In the memorandum of agreement, GEDA retains a certain percentage of the rent collected as payment for lease management service. So, the audit states that the commission was to re evaluate GEDA's role, relative to its property management services on the leased properties. Have you participated in re evaluating GEDA's role in regard to this property or is this something that's on the agenda for the Ancestral Lands Commission?

Maria G. Cruz, Appointee: Right now, it's on the table. It's something we're taking a look at because we don't have the manpower. So, we need to take a look at what our staff is able to do so we can take some responsibilities of from GEDA. So that's on the table. it's one of the things that we're looking at. So, it's not completely off. It's just on a back burner per se.

Chairperson Therese M. Terlaje: Okay. I think that's very important because again, just for those who are watching, any income that the Commission receives could be part of this inventory that we can use to compensate those landowners who will not be getting their properties back. So, it's very important how we manage that and what the ultimate goal is. And, that we try to save costs wherever possible because it's a trust for other beneficiaries.

There was also a reported increase in salaries at that time of one hundred thousand (\$100,000) dollars. I'm not going to elaborate on this, but I want you to be very aware of it because again, every dollar that is diverted from your inventory is something that cannot be used to bring justice to those landowners who cannot get their properties returned. I know that the budget for the Ancestral Lands Commission that we passed recently that is pending the Governor's action is very lean, maybe too lean. And, they are using some of your income from these leases for operations. So, I just want to press upon you to please be very active in scrutinizing the operations and the costs because again, this money is a trust and we want it for its intended beneficiaries.

Maria G. Cruz, Appointee: That will be included in our report and on you know our pending. We have a list of pending things that needs to be done and of course, the response to that audit. So, we need to address that.

Chairperson Therese M. Terlaje: Yes, I think so. And so, there is also some recent issues; disagreement with BBMR with the actions of the Commission and the legal opinion of the Assistant Attorney General, who advise that the Commission has authority to deposit funds from the AT&T leases and for operational purposes. I think we need to settle whether some of these funds are exempt from being used for operational purposes. Are you familiar with that opinion?

Maria G. Cruz, Appointee: (inaudible) Okay.

Chairperson Therese M. Terlaje: All right. Do you feel that as a Commissioner, that you are equipped to handle the controversies that come up? Because we're a very small community so, when controversy comes up between landowners or between those who are getting property back and those who are not getting property back do you feel like you're equipped to handle that type of pressure and that type of controversy?

Maria G. Cruz, Appointee: No. We do need more staff. Not too long ago, I think for the last budget, we did ask for and we did approve more positions so that we can better accommodate or better assist claimants with the submitting of documents or whatever they need that our staff is able to assist.

Chairperson Therese M. Terlaje: Okay. I understand and I hear that. I think my colleagues hear that too. They need more staff and I understand how you intend to use them, so I appreciate that. I'm going to open it up now to my Vice Chair Senator Perez.

Vice Chairperson Sabina F. Perez: Thank you, Madam Chair and good evening Mary Cruz.

Maria G. Cruz, Appointee: Good evening Senator Perez.

Vice Chairperson Sabina F. Perez: Thank you for accepting the nomination and thank you for all your service these past decade and plus. I think it must have been a great experience to work alongside the late Ed Benavente and many of our activists that really help found this very important Commission.

Maria G. Cruz, Appointee: Thank you.

Vice Chairperson Sabina Perez: I think the Chair covered a lot of the questions and I know she's in a way, very much an activist herself in this. But I'm wondering, in regard to excess lands have you heard anything about the potential of the federal government actually transferring some of the lands over to gov Guam?

Maria G. Cruz, Appointee: Well we do have. I need to check with our current Director for that list because I'm aware of some of the problems, not all of it and so I'm not too sure what happened to the list and then what the last progress is of properties being returned to Guam Ancestral Land. But I will make a follow up.

Vice Chairperson Sabina Perez: Great. So yes, that's important to know and also figure out if there are potential landowners that can receive this access back.

Maria G. Cruz, Appointee: I am aware that some of those are our landowners because they've approached us to make a follow up on what's happening on those unused lands.

Vice Chairperson Sabina Perez: In regard to federal excess lands is there any kind of due diligence done to ensure that the lands are toxin free or is there any procedures in place to ensure that the lands are toxin free?

Maria G. Cruz, Appointee: Well it is my understanding that before these lands are returned to Guam that they're supposed to be toxin free. Well that is really not correct because we've been finding problems later on which have to be addressed. So, like I said, it's my understanding that before it's returned its toxin free. So, before it's returned to the original landowners there really has not been a problem. It's only on those crown lands. I don't recall any of those being on original landowners that we returned.

But we are still keeping that in mind to make sure it's toxin free. But we really don't go out of our way to make sure of that. Like I said, it's only I think one or two areas that we found that had a problem, but these are properties that are returned to the original landowners. They are under our crown lands.

Vice Chairperson Sabina Perez: Okay and were you able to get some services to remediate it or did you have to [inaudible]?

Maria G. Cruz, Appointee: Yes, we had the services of the military. So that's still pending, and I think it's been over four years. So, they submit a report. They have a budget to clean it up. We do receive the yearly report if not quarterly, but we will make a follow up on those.

Vice Chairperson Sabina Perez: Okay, great are those documents available? Are they publicly available?

Maria G. Cruz, Appointee: Yes, they are. They should be.

Vice Chairperson Sabina Perez: Is it on the website?

Maria G. Cruz, Appointee: I don't think it's on the website, but I'll check with the staff. if you want that provided then check I'll check with staff.

Vice Chairperson Sabina Perez: I appreciate that. I have just one more question. So, with regard to trying to locate the landowners for the list of lands that are in your inventory, what do you think is the barrier to trying to locate the original landowners?

Maria G. Cruz, Appointee: I'm not too sure what the barriers are. I know that we've, according to staff asked the village mayors. Excuse me. With the newspaper, we spent a lot of money on posting because we want to make sure that we've done every effort to contact these families and we want to document that.

We really did try but I don't really know what else to do. Maybe there should be... we should think of creating a website for a list of owners or properties that are unclaimed and include that on our website. So, that's a thought.

Vice Chairperson Sabina Perez: Yes, I'm just thinking maybe a lot of them have moved off island and using the social media might be very helpful.

Maria G. Cruz, Appointee: I do know that we had somebody from the club in San Diego who provided a listing to the club members so that was also one of the outreaches that we had done.

Vice Chairperson Sabina F. Perez: Okay, great. Thank you so much Maria and thank you again for your hard work and perseverance through it all. *Si Yu'os ma'åse'*.

Maria G. Cruz, Appointee: Thank you. *Hagu lokkue'* Senator.

Chairperson Therese M. Terlaje: Thank you Vice Chair Perez. Senator Shelton?

Senator Amanda Shelton: Thank you very much Madam Chair I'm really just here listening. I appreciate the testimony. I have no questions at this time, but I do very much thank you for your service and for answering the call to continue serving here.

Chairperson Therese M. Terlaje: Senator Taitague?

Senator Telo Taitague: Thank you, Madam Chair. Hi Mary. I wanted to make sure I was here for you at your confirmation hearing. You've been with GALC for so long, so many years and dedicating yourself, your time to this board is commendable and deserves much respect. I thank you so much for your continued support and crossing your T's and dotting your I's down there. For anyone coming in new, the wealth of knowledge that you have is priceless, really priceless. You definitely have my support Mary and take care. Like our good Oversight Chair said, anytime you need us we're here. If there's anything you need to talk about or have some ideas, my door is always open. Thank you.

Maria G. Cruz, Appointee: I really appreciate that. Thank you.

Chairperson Therese M. Terlaje: Ms. Cruz, thank you again for being here today. I know you weren't feeling well earlier and got your voice back so I'm so glad.

Maria G. Cruz, Appointee: That's a lot of hot tea and soup.

Chairperson Therese M. Terlaje: I know that the Commission kind of lost all its members all of a sudden and so they really need you back. They need both of you to get back to work. So, I just wanted to, because we were talking about the net negative, about the land return or the land policy of the Department of Defense going forward and I wanted to just read an excerpt from this June 2017 report to Congress on the status of the net negative policy regarding Navy Acreage on Guam.

They reported that the following summary of land transfers are completed, in progress or projected and this includes:

Parcel behind south Finegayan housing; Route 1; Route 4; Tanguisson Power Plant; Harmon Substation Annex; Piti Power Plant and Substation; Apra Height Slot 402 1; Agana Power Plant and Substation; Army Corp of Engineer ORP Maui tunnel; Tamuning Route 1 behind old Telex; Parcel south of Camp Covington; Parcel Seven NCTS; NCTAMS beach lot adjacent to Tanguisson Power Plant; Hoover Park I think this is also called USO. Parcel C Marbo cave and the Marbo school site. So that was a report to Congress from the Department of the Navy in 2017.

And then in 2018, GEDA also wrote a report on the potentially releasable federal lands in November 2018 using this Navy's report from 2017. But they give credit to the Ancestral Lands Commission for helping them to compile this list of property that is, according to GEDA, requested for return to Gov Guam. So, it includes some of those from the list and I think you can tell some of those are not accomplished yet and we are still waiting and we are relying on your commissioners to also help us to advocate for the prompt and swift return as was envisioned, of those properties and more. So, there are more on the list of the requests, but I won't read it. I'll put it up on my website.

This is all from GEDA's documents but some of them overlap. There are other properties that GEDA has also requested to be returned and so I think those are still not returned obviously. But we still need to work together on that. So again, thank you Mrs. Cruz for accepting the reappointment to this Commission and for all the hours that you have put in already in serving the Ancestral Landowners and in serving the people of Guam in bringing justice. I know that there are some challenging times ahead of you because some of these decisions are not going to be easy. they're going to be very difficult. We can't bring full justice because we can't return all the lands so we're going to make some tough decisions and try to do something else that will bring at least a partial justice to these landowners. So, thank you again for your commitment.

Maria G. Cruz, Appointee: Thank you, Senator and all the Senators, thank you very much.

Chairperson Therese M. Terlaje: We will now move on. The time is 6:55 p.m.

The public hearing was adjourned at 6:55 PM.

III. FINDINGS & RECOMMENDATIONS

- Maria G. Cruz has served as a commissioner on the Guam Ancestral Lands Commission since 2002 and has expressed desire to continue to serve as a member. She testified on the record to be free of any business or other conflicts that may prevent her from performing her duties as a member of the Guam Ancestral Lands Commission.
- Maria G. Cruz responded to questions from the Committee Chairperson and other Senators present with regard to the Commission's response to a Fiscal 2019 Audit conducted by the Office of Public Accountability, in particular, an increase in expenditures by \$902,000, due mainly to the increase in lease management fees paid the Guam Economic Development Authority incurred by the Commission and a reported increase in salaries by \$100,000. According to Ms. Cruz, the Commission will be reevaluating the role of GEDA relative to its property management services as well as other meeting to respond to other findings of the audit and expressed to the panel the challenges with Commission staffing support that need to be addressed and various outreach efforts of the Commission to make contact with potential landowners.
- At the request of the Committee Vice Chairperson, Ms. Cruz agreed to forward the annual/quarterly report submitted to the GALC from the Department of the Navy on the status of remediation of contaminated lands to be returned to the Government of Guam.
- The Committee finds that Maria G. Cruz, having served on the Commission for eighteen years, possesses valuable institutional knowledge and understanding of the issues that need to be addressed and processes that need to be improved to ensure that the Commission carries forward the mission it has been entrusted with and meets its legal mandates.

The Committee on Health, Tourism, Historic Preservation, Land and Justice hereby reports on the appointment of **Maria G. Cruz** to serve as a Member of the Guam Ancestral Lands Commission, with the recommendation **To Report Out Only**.




SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Libeslaturan Guåhan
35th Guam Legislature

COMMITTEE VOTE SHEET

**Nomination of
Maria G. Cruz
to serve as a Member,
Guam Ancestral Lands Commission;
Term Length: Four (4) years; March 27, 2020 to March 26, 2024**

	SIGNATURE	TO DO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Therese M. Terlaje Chairperson	 October 2, 2020	✓				
Senator Sabina Flores Perez Vice Chairperson	E-Vote 10/3/2020	✓				
Senator Kelly G. Marsh (Taitano), Ph.D. Member						
Senator James C. Moylan Member	E-Vote 10/2/2020			✓		
Senator Louise B. Muña Member	E-Vote 10/2/2020	✓				
Vice Speaker Telenia C. Nelson Member						
Senator Joe S. San Agustin Member	E-Vote 10/5/2020	✓				
Senator Amanda L. Shelton Member						
Senator Mary Camacho Torres Member						

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Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE- Appointment of Maria G. Cruz, Guam Ancestral Lands Commission

1 message

Louise Muna <senatorlouise@gmail.com>
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Fri, Oct 2, 2020 at 3:28 PM

Hafa Adai,

To Do Confirm.

Thank you.

On Fri, Oct 2, 2020, 2:56 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Please see attached Committee Report for **Maria G. Cruz** as a **Member** of the **Guam Ancestral Lands Commission**.

Please indicate your preferred action, based on the following options:

- To Do Confirm;
- To Not Confirm;
- To Report Out Only;
- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Maria G. Cruz, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, [173 Aspinall Avenue](#), Hagåtña, Guam 96910Mailing address: Guam Congress Building, [163 Chalan Santo Papa](#), Hagåtña, Guam 96910T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.comwebsite: www.senatorterlaje.com

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Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE- Appointment of Maria G. Cruz, Guam Ancestral Lands Commission

1 message

James Moylan <senatormoylan@guamlegislature.org>
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Fri, Oct 2, 2020 at 4:14 PM

To report out only.

SYM.

--

JIM C. MOYLAN

Office of Senator James "Jim" C. Moylan
I Mina'trentai Singko na Liheslaturan Guåhan
35th Guam Legislature
DNA Bldg. Ste. 407 | 238 Archbishop FC Flores St, | Hagatna, GU 96910
T: (671) 922/979 - MORE (6673)

On Fri, Oct 2, 2020 at 2:56 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Please see attached Committee Report for **Maria G. Cruz** as a **Member** of the **Guam Ancestral Lands Commission**.

Please indicate your preferred action, based on the following options:

- To Do Confirm;
- To Not Confirm;
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- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Maria G. Cruz, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

Office of Senator Therese M. Terlaje**Committee on Health, Tourism, Historic Preservation, Land and Justice***I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

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Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE- Appointment of Maria G. Cruz, Guam Ancestral Lands Commission

1 message

Office of Senator Sabina Perez <office@senatorperez.org>
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Sat, Oct 3, 2020 at 10:47 AM

To do confirm.

On Fri, Oct 2, 2020 at 2:56 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Please see attached Committee Report for **Maria G. Cruz** as a **Member** of the **Guam Ancestral Lands Commission**.

Please indicate your preferred action, based on the following options:

- To Do Confirm;
- To Not Confirm;
- To Report Out Only;
- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Maria G. Cruz, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

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--

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, and Procurement

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, [163 Chalan Santo Papa, Hagåtña, Guam 96910](#)

T: (671) 989-2968

E: office@senatorperez.org



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE- Appointment of Maria G. Cruz, Guam Ancestral Lands Commission

1 message

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Mon, Oct 5, 2020 at 8:21 AM

To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Cc: Senator Sabina Perez <office@senatorperez.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, James Moylan <senatormoylan@guamlegislature.org>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telen Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Mary C. Torres" <senatormary@guamlegislature.org>

To Do Confirm

The Office of Senator Joe S. San Agustin

Committee on General Government Operations, Appropriations & Housing

I Mina'trentai Singko Na Liheslaturan Guahan

35th Guam Legislature

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On Fri, 2 Oct 2020 at 14:56, Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Please see attached Committee Report for **Maria G. Cruz** as a **Member** of the **Guam Ancestral Lands Commission**.

Please indicate your preferred action, based on the following options:

- To Do Confirm;
- To Not Confirm;
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- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Maria G. Cruz, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guahan

35th Guam Legislature

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