CHAPTER 80
GUAM ANCESTRAL LANDS COMMISSION

2026 NOTE: Pursuant to 5 GCA § 1510, I Maga'hågan/Maga'låhen Guåhan means the "Governor of Guam" and I Maga'håga/Maga'låhi means the "Governor." Pursuant to 2 GCA § 1101, I Liheslaturan Guåhan/Liheslatura means the "Guam Legislature"/"Legislature."

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§ 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.

(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.

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(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.

(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 P.L. 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 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).

2018 NOTE: Subsection designations added pursuant to the authority of 1 GCA § 1606.

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§ 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'hågan/Maga'låhen Guåhan, with the advice and consent of I Liheslatura.

(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'hågan/Maga'låhen Guåhan in the same manner as initial appointments, as provided in Subsection (a) of this Section. Persons filling a vacancy must 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: Subsection 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 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

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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.

(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.

(1) Step 1: Filing of Ancestral Claim B 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:

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

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

(C) 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.);

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

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

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(F) 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.

(2) 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) [sic] categories defined:

Category 1: Ancestral Title Determination B 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:

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

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

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

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

(i) a sworn affidavit that the applicant:

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

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

(ii) 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;

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

(iv) evidence of heirship;

(v) 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

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

(3) 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

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

(A) name of the Commission or designee that made the determination;

(B) date on which the determination was made;

(C) area, location, and description of specific land covered by the determination;

(D) the matters determined; and

(E) 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.

(4) Step 4: Extinguishment of Ancestral Land Claim B 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 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.

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(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 shall be maintained separate and apart from any other funds, and shall not be subject to the transfer authority of I Maga'hågan/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).

2026 NOTE: Designations in subsection (c) modified pursuant to the authority of 1 GCA § 1606.

2017 NOTE: Subsection 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, Hagåtña (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 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

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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 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 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 Aflleje, Dolores C. San Nicolas, and Ana San Nicolas Sanford, in the municipality of Piti. The property shall be transferred and shall be deeded to

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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.

(j) Lot Nos. 7100, 7102, 7103 and 7146 claimed by the Estate of John S.N. Taitano and Rosario F. Taitano in the municipality of Yigo. The properties shall be transferred from the Government of Guam 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 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.

SOURCE: Added as § 80106 by P.L. 27-113:2_(Dec. 2, 2004), renumbered pursuant to the authority of 1 GCA § 1606. Subsection (b) added by P.L. 30-096:2 (Mar. 12, 2010). Subsection (c) added by P.L. 30-142:2 (May 17, 2010). Subsection (d) added by P.L. 30-150:2 (May 17, 2010). Subsection (e) added by P.L. 30-205:2 (Dec. 13, 2010). Subsection (f) added by P.L. 30-206:2 (Dec. 13, 2010). Subsection (g) added by P.L. 30-207:2 (Dec. 13, 2010). Subsection (h) added by P.L. 31-134:2 (Nov. 17, 2011). Subsection (i) added by P.L. 32-013:2 (Apr. 11, 2013). Subsection (j) added by P.L. 38-137:1 (Sept. 1, 2026).

2026 NOTE: Reference to Agana replaced with Hagåtña pursuant to 1 GCA § 403(b).

§ 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 and 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.

(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'håga/Maga'låhi.

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(f) I Maga'hågan/Maga'låhen 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 as § 80105 by P.L. 28-133:1 (July 11, 2006), renumbered pursuant to the authority of 1 GCA § 1606.

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