

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
PUBLIC LAW 33-204 374-33 (COR)	T. C. Ada B. J. F. Cruz Judith T. Won Pat, Ed.D R. J. Respicio	AN ACT TO RESERVE A PORTION OF LOT 5173-1-R2-NEW-R6, MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF EIGHT (8) ACRES MORE OR LESS, FOR USE AS A CHAMORRO SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS.	09/22/16 1:50 p.m.	09/26/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement	10/06/16 6:00 p.m.	11/21/16 1:45 p.m.	Fiscal Note Request 09/27/16 Fiscal Note 10/19/16
	DATE PASSED	TITLE	DATE AND TIME TRANSMITTED		DUE DATE	<small>DATE SIGNED BY</small> I MAGA'L A HEN GU A HAN	PUBLIC LAW NO.	NOTES
	12/02/16	AN ACT TO RESERVE A PORTION OF LOT NO. 5173-1-R2-NEW-R6 IN THE MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF UP TO FIVE (5) ACRES ± FOR USE AS A CHAMORRO NATIONAL SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS.	12/05/16	4:50 p.m.	12/16/16	12/15/16	P.L. 33-204	M&C No. 33GL-16-2275



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

DEC 15 2016

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

33-16-2275
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 12-19-16
Time: 9:16 AM
Received By: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 374-33 (COR), "AN ACT TO RESERVE A PORTION OF LOT NO. 5173-1- R2-NEW- R6 IN THE MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF UP TO FIVE (5) ACRES ±, FOR USE AS A CHAMORRO NATIONAL SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS," which was signed into law on December 15, 2016, as Public Law 33-204.

Senseramente,


EDDIE BAZA CALVO

2016 DEC 19 AM 10:50 [Signature]

2275

**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session**

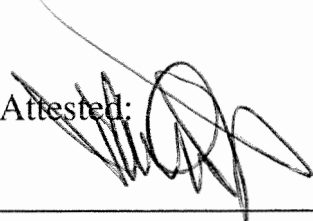
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÅHEN GUÅHAN

This is to certify that **Bill No. 374-33 (COR)**, "AN ACT TO RESERVE A PORTION OF LOT NO. 5173-1-R2-NEW-R6 IN THE MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF UP TO FIVE (5) ACRES ± FOR USE AS A *CHAMORRO* NATIONAL SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS," was on the 2nd day of December 2016, duly and regularly passed.



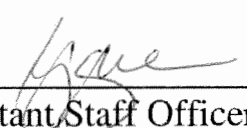
**Judith T. Won Pat, Ed.D.
Speaker**

Attested:



**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'låhen Guåhan* this 2th day of Dec, 2016, at 4:30 o'clock P.M.



**Assistant Staff Officer
Maga'låhi's Office**

APPROVED:



**EDWARD J.B. CALVO
*I Maga'låhen Guåhan***

Date: _____

DEC 15 2016

Public Law No. _____

33-204

**OFFICE OF THE GOVERNOR
CENTRAL FILES**

RECEIVED BY _____
TIME 4:30 P DATE 12-15-16

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 374-33 (COR)

As amended by the Committee on Transportation,
Infrastructure, Lands, Border Protection,
Veterans' Affairs and Procurement.

Introduced by:

T. C. Ada
B. J.F. Cruz
Judith T. Won Pat, Ed.D.
R. J. Respicio
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
Dennis G. Rodriguez, Jr.
Mary Camacho Torres
N. B. Underwood, Ph.D.

AN ACT TO RESERVE A PORTION OF LOT NO. 5173-1-R2-NEW-R6 IN THE MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF UP TO FIVE (5) ACRES ± FOR USE AS A *CHAMORRO* NATIONAL SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that ancestral remains have been discovered over time from sites throughout the
4 island. Public Law 21-104 directed the Department of Parks and Recreation (DPR)
5 to establish a *Chamorro* Shrine, to be called “*Nåftan Mañaina-ta*,” for the

1 entombment of ancestral remains, but P.L. 21-104 did not designate a parcel of land
2 for the establishment of the Shrine. According to DPR, there are at least two
3 thousand (2,000) remains, including the *Hornbostel Collection* repatriated from the
4 Bishop Museum in Hawaii, that have been found, collected, and stored at the DNA
5 Building and the Guam Museum that need to be reinterred. Pursuant to Executive
6 Order 89-24, there are four (4) burial sites for disinterred ancestral remains: within
7 the Hyatt Hotel grounds; within the Nikko Hotel grounds; across the street from the
8 Lotte Hotel (formerly known as the Okura Hotel); and sites relative to the *Layon*
9 landfill. These sites are for post-1989 remains.

10 *I Liheslaturan Guåhan* further finds that *Ypao* Point (also known as Oka Point
11 or Old Hospital Point) in *Tamuning* is the most suitable location for the Shrine
12 because of its importance in the *Chamorro* cultural landscape and *Chamorro* history
13 as the site of the only *Chamorro* victory in the *Spanish-Chamorro* Wars. Public Law
14 25-179 placed the property under the administrative jurisdiction of the *Chamorro*
15 Land Trust Commission.

16 *I Liheslaturan Guåhan* further finds that there are no existing commercial
17 leases on this portion of the basic lot, and intends to prohibit the *Chamorro* Land
18 Trust Commission from commercially leasing this portion.

19 It is the intent of *I Liheslaturan Guåhan* to reserve a portion of up to five (5)
20 acres, but not less than two (2) acres, to include the coral outcropping known as “The
21 Rock”; and an appropriate buffer zone of land at *Ypao* Point for the Department of
22 Parks and Recreation to establish the *Chamorro* Shrine in order to pay homage to
23 our ancestors and provide them a final resting place on *Chamorro* lands. This
24 *Chamorro* Shrine will be for pre-1989 disinterred ancestral remains.

25 **Section 2. Reservation of Land for a *Chamorro* National Shrine.**
26 Notwithstanding any other provision of law, rule, or regulation, up to five (5) acres,
27 but not less than two (2) acres, including any geodetic triangulation survey

1 monuments and an appropriate buffer zone, of Lot No. 5173-1-R2-NEW-R6 in the
2 municipality of *Tamuning*, as shown on Map No. 076FY2013 and attached as
3 Exhibit B, *shall* be reserved for use as a *Chamorro* Shrine, to be called “*Nåftan*
4 *Mañaina-ta*,” and for the reinterment of all ancestral remains disinterred prior to
5 September 25, 1989. The *Nåftan Mañaina-ta* Shrine *shall* be contiguous to Lot No.
6 5173-1-R2NEW-4 in the municipality of *Tamuning* (the *Sågan Kotturan Chamoru*
7 lot). A digital aerial view of the area is also attached as Exhibit C. The *Chamorro*
8 Land Trust Commission is further prohibited from commercially leasing this
9 portion. Access and utility easements to the reserved portion *shall* be provided.

10 **Section 3. Development and Funding of a *Chamorro* National Shrine.**

11 Within one hundred eighty (180) days of the enactment of this Act, the Department
12 of Parks and Recreation, through the State Historic Preservation Office, *shall*
13 develop and submit plans for *Nåftan Mañaina-ta* to *I Liheslatura* (the Legislature)
14 for information and concurrence by Legislative Resolution.

15 **Section 4. Survey and Severance of Property.** The Department of Land

16 Management *shall* survey, sever, and map the subject property in Section 2 of this
17 Act.

18 **Section 5. Severability.** If any provision of this law or its application to

19 any person or circumstance is found to be invalid or contrary to law, such invalidity
20 *shall not* affect other provisions or applications of this law that can be given effect
21 without the invalid provisions or applications and to this end the provisions of this
22 law are severable.

Exhibit B of Bill No. 374-33 (COR)

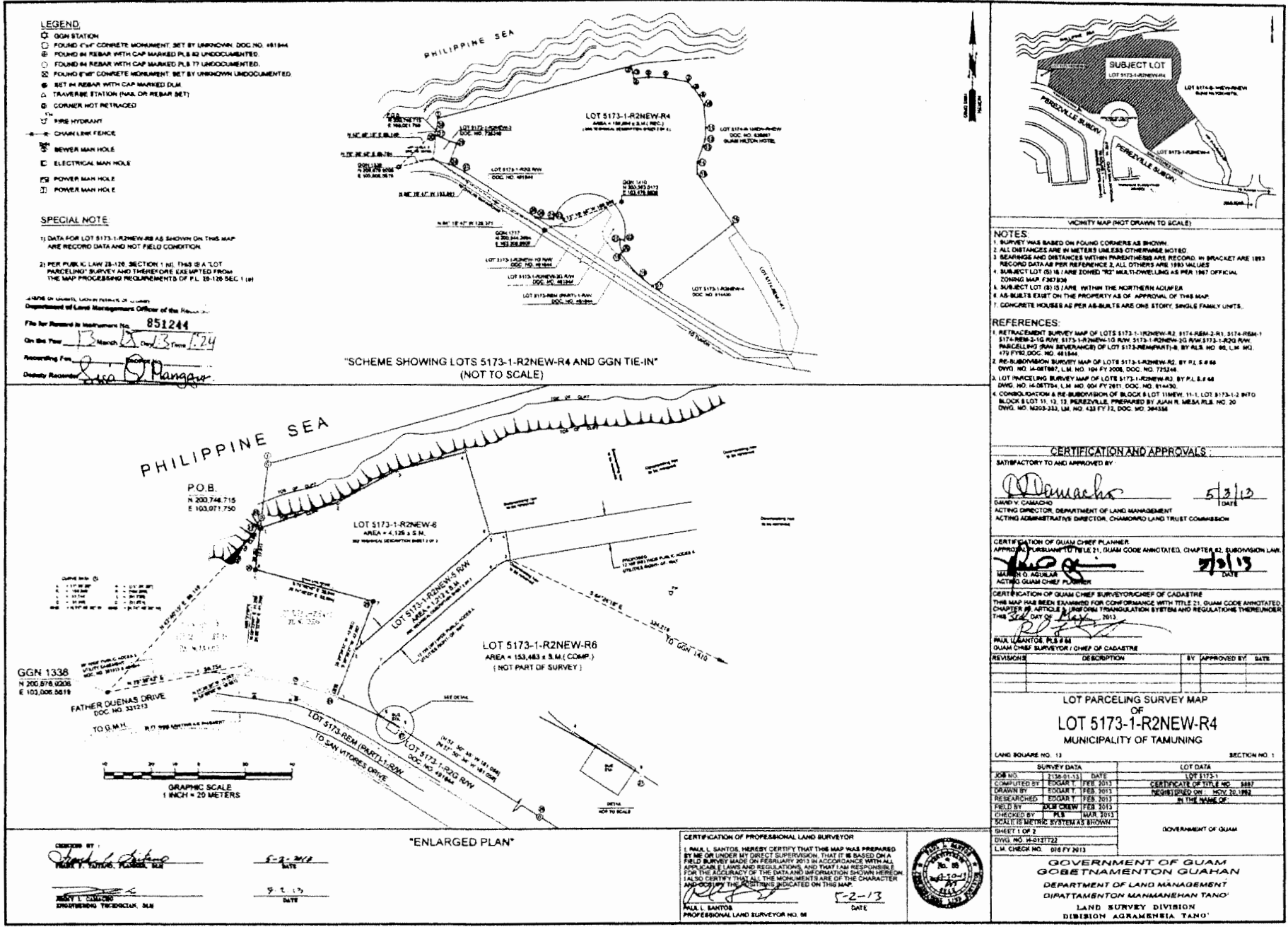


Exhibit B of Bill No. 374-33 (COR)

LOT 5173-1-R2NEW-R4 (RECORD DATA)		
COURSE	BEARING	DIST.(m)
①-②	N 74° 00' 14" E	468.778
②-③	S 15° 48' 21" E	115.843
③-④	S 09° 37' 03" E	12.909
④-⑤	N 83° 57' 56" E	31.321
⑤-⑥	S 88° 23' 05" E	37.199
⑥-⑦	S 79° 45' 23" E	49.045
⑦-⑧	S 39° 02' 03" E	15.298
⑧-⑨	S 40° 24' 15" E	22.977
⑨-⑩	S 28° 58' 48" E	22.867
⑩-⑪	S 04° 58' 06" E	80.121
⑪-⑫	S 02° 22' 20" W	25.962
⑫-⑬	S 17° 06' 01" W	16.087
⑬-⑭	S 19° 54' 09" W	35.767
⑭-⑮	S 01° 22' 34" E	38.207
⑮-⑯	S 33° 40' 08" E	131.191
⑯-⑰	S 52° 38' 31" W	218.428
⑰-⑱	(R = 270.358)	
⑱-⑲	(L = 71.557)	
⑲-⑳	(C = 71.348)	
⑲-⑳	(CHB = N 45° 19' 40" W)	
⑲-⑳	(N 30° 44' 41" W)	(28.475)
⑲-⑳	(N 31° 15' 17" E)	(8.596)
⑲-⑳	(L = 29.568)	
⑲-⑳	(L = 29.309)	
⑲-⑳	(C = 28.121)	
⑲-⑳	(CHB = N 10° 18' 21" W)	
⑲-⑳	(S 71° 47' 58" E)	(8.230)
⑲-⑳	(A = 184° 29' 20")	
⑲-⑳	(R = 72.248)	
⑲-⑳	(L = 254.713)	
⑲-⑳	(C = 158.393)	
⑲-⑳	(CHB = N 73° 52' 58" W)	
⑲-⑳	(A = 12° 42' 14")	
⑲-⑳	(R = 40.538)	
⑲-⑳	(L = 9.071)	
⑲-⑳	(C = 9.083)	
⑲-⑳	(CHB = N 82° 50' 22" W)	
⑲-⑳	(N 83° 05' 42" W)	(25.747)
⑲-⑳	(A = 55° 57' 40")	
⑲-⑳	(R = 40.538)	
⑲-⑳	(L = 4.148)	
⑲-⑳	(C = 4.145)	
⑲-⑳	(CHB = N 80° 02' 53" W)	
⑲-⑳	(N 37° 50' 34" W)	(181.081)
⑲-⑳	(A = 11° 06' 14")	
⑲-⑳	(R = 158.209)	
⑲-⑳	(L = 31.054)	
⑲-⑳	(C = 30.906)	
⑲-⑳	(CHB = N 83° 25' 08" W)	
⑲-⑳	(N 20° 58' 57" E)	(43.927)
⑲-⑳	(N 74° 42' 22" W)	(82.284)
⑲-⑳	(N 08° 22' 50" E)	(17.806)
⑲-⑳	(N 08° 23' 01" W)	(4.633)
⑲-⑳	(N 08° 23' 01" W)	(23.229)
⑲-⑳	(AREA = 158.804 ± SQ.M.)	

LOT 5173-1-R2NEW-5 R/W		
COURSE	BEARING	DIST.(m)
1 - 2	N 20° 56' 27" E	21.177
2 - 3	N 49° 07' 43" E	76.835
3 - 4	N 82° 50' 30" E	9.838
4 - 5	S 09° 09' 30" E	12.192
5 - 6	Δ = 31° 42' 47"	
	R = 12.192	
	L = 9.148	
	C = 9.062	
	CHB = S 94° 58' 06" W	
6 - 7	S 49° 07' 43" W	85.783
7 - 8	Δ = 108° 06' 58"	
	R = 13.777	
	L = 23.124	
	C = 22.147	
	CHB = S 04° 21' 38" E	
8 - 9	S 57° 50' 53" E	8.508
9 - 1	Δ = 11° 08' 58"	
	R = 159.298	
	L = 30.968	
	C = 30.946	
	CHB = N 83° 31' 44" W	
	(AREA = 1.212 ± SQ.M.)	

LOT 5173-1-R2NEW-6		
COURSE	BEARING	DIST.(m)
POB 1 - 2	N 71° 28' 15" E	34.844
2 - 3	N 81° 05' 05" E	28.631
3 - 4	N 74° 40' 19" E	30.509
4 - 5	S 18° 15' 24" E	37.178
5 - 6	S 49° 07' 43" W	76.836
6 - 7	N 20° 56' 27" E	22.750
7 - 8	N 74° 48' 10" W	52.044
8 - POB	N 08° 23' 01" E	17.973
	(AREA = 4.129 ± SQ.M.)	

... OF LANDS, ADMINISTRATION OF LANDS
Department of Land Management Officer of the Recorder
File for Record Instrument No. 851244
On the Year 13 Month 11 Day 24 Time
Recording Fee _____ Receipt No. _____
Disputy Recorder _____
CERTIFIED BY Paul L. Santos

Frank P. Tazangi
FRANK P. TAZANGI, PLANNER, DLM

5-2-2013
DATE

Frank P. Tazangi
FRANK P. TAZANGI, PLANNER, DLM

5-2-13
DATE

CERTIFICATION OF PROFESSIONAL LAND SURVEYOR
I, PAUL L. SANTOS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON A FIELD SURVEY MADE ON FEBRUARY 2013 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, AND THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE DATA AND INFORMATION SHOWN HEREON. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND LOCATION SHOWN AND INDICATED ON THIS MAP.
Paul L. Santos
PAUL L. SANTOS
PROFESSIONAL LAND SURVEYOR NO. 88
5-2-13
DATE



SEE SHEET 1 OF 2

VICINITY MAP (NOT DRAWN TO SCALE)

NOTES:
1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES WITHIN PARENTHESES ARE RECORD, IN PARENTHESES ARE RECORD DATA, ALL OTHERS ARE 1993 VALUES.
4. SUBJECT LOT (S) IS (ARE) ZONED "R2" MULTIFAMILY AS PER 1907 OFFICIAL ZONING MAP, F38736.
5. SUBJECT LOT (S) IS (ARE) WITHIN THE NORTHERN AQUIFER.
6. AS BUILTS EXIST ON THE PROPERTY AS OF APPROVAL OF THIS MAP.
7. CONCRETE HOUSES AS PER AS-BUILTS ARE ONE STORY, SINGLE FAMILY UNITS.

REFERENCES:
1. RE-TRACEMENT SURVEY MAP OF LOTS 5173-1-R2NEW-R2, 5174-R2W-R1, 5174-R2W-1, 5174-R2W-2 TO ROW, 5173-1-R2NEW-10 ROW, 5173-1-R2NEW-10 ROW 5173-1-R2W ROW, PARCELLING (ROW EVERAGE) OF LOT 5173-R2W(PART) B, BY RLS. NO. 85, L.M. NO. 410 FY 2006, DOC. NO. 49184.
2. RE-SUBDIVISION SURVEY MAP OF LOTS 5173-1-R2NEW-R2, BY PLS 5 & 58, DWG. NO. 14-98787, L.M. NO. 104 FY 2006, DOC. NO. 725246.
3. LOT PARCELLING SURVEY MAP OF LOTS 5173-1-R2NEW-R2, BY PLS # 85, DWG. NO. 14-98787, L.M. NO. 104 FY 2011, DOC. NO. 814435.
4. CONSOLIDATION & RE-SUBDIVISION OF BLOCK 8 LITINEW, 1-1 LOT 5173-1-2 INTO BLOCK 8 LOT 11, 12, 13, PEREZVILLE, PREPARED BY JUAN R. MESA RLG. NO. 20, DWG. NO. M203-333, L.M. NO. 423 FY 72, DOC. NO. 304355.

CERTIFICATION AND APPROVALS:
SATISFACTORY TO AND APPROVED BY:
David V. Camacho
DAVID V. CAMACHO
ACTING DIRECTOR, DEPARTMENT OF LAND MANAGEMENT
ACTING ADMINISTRATIVE DIRECTOR, CHAMBERGO LANG TRUST COMMISSION
5/3/13
DATE

CERTIFICATION OF GUAM CHIEF PLANNER
APPROVED PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 92, SUBDIVISION LAW
Paul L. Santos
PAUL L. SANTOS
ACTING GUAM CHIEF PLANNER
5/3/2013
DATE

CERTIFICATION OF GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 92, ARTICLE 5, UNIFORM TRIANGULATION SYSTEM AND REGULATIONS THEREUNDER, THIS 2ND DAY OF FEBRUARY 2013.
Paul L. Santos
PAUL L. SANTOS, PLS # 88
GUAM CHIEF SURVEYOR / CHIEF OF CADASTRE

REVISIONS	DESCRIPTION	BY	APPROVED BY	DATE

LOT PARCELLING SURVEY MAP
OF
LOT 5173-1-R2NEW-R4
MUNICIPALITY OF TAMUNING

LAND SQUARE NO. 13	SECTION NO. 1
SURVEY DATA	LOT DATA
JOB NO. 7188-03-13	DATE 1/21/2013
COMPUTED BY TOGAR T. FEB 2013	CERTIFICATE OF TITLE NO. 5897
DRAWN BY TOGAR T. FEB 2013	REGISTERED ON NOV 26, 1982
RESEARCHED TOGAR T. FEB 2013	IN THE NAME OF
FIELD BY PLW CREW FEB 2013	
CHECKED BY PLS (MAR 2013)	
SCALE IS METRIC SYSTEM AS SHOWN	
SHEET 2 OF 2	
DWG. NO. 14-913722	
L.M. CHECK NO. 078 FY 2012	

GOVERNMENT OF GUAM
DEPARTMENT OF LAND MANAGEMENT
DIPARTAMENTON MANMANEHAN TANO'
LAND SURVEY DIVISION
DIBISION AGRAMENSIA TANO'

Exhibit C of Bill No. 374-33 (COR)



Ypao Point
Lot 5173-1-R2-NEW-R6, Oka, Tamuning