

Office of the Governor of Guahan

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

2010 MAY 19 PM 3:42

MAY 19 2010

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guahan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 371-30 (COR) "AN ACT TO AMEND SECTION 11 OF PUBLIC LAW 30-101, RELATIVE TO THE APPROPRIATION OF THE GUAM VETERANS AFFAIRS OFFICE", which I signed into law on May 17, 2010 as Public Law 30-149.

Sinseru yan Magahet,

MICHAEL W. CRUZ, M.D.
I Maga'lâhen Guahan para pa'go
Acting Governor of Guahan

Attachment: copy of Bill

30-10-0467

**I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session**

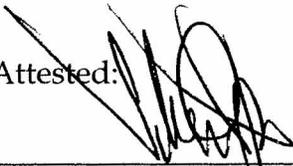
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 371-30 (COR)**, "AN ACT TO AMEND SECTION 11 OF PUBLIC LAW 30-101, RELATIVE TO THE APPROPRIATION TO THE GUAM VETERANS AFFAIRS OFFICE", was on the 3rd day of May, 2010, 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'lahaen Guåhan* this 5th day of May, 2010, at
4:00 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



MIKE W. CRUZ, MD.
GOVERNOR OF GUAM ACTING

Date: MAY 17 2010

Public Law No. P.L. 30-149

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 371-30 (COR)

As amended on the Floor.

Introduced by:

v. c. pangelinan
Judith P. Guthertz, DPA
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SECTION 11 OF PUBLIC LAW 30-101, RELATIVE TO THE APPROPRIATION TO THE GUAM VETERANS AFFAIRS OFFICE.

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

2 **Section 1.** Section 11 of Public Law 30-101 is hereby *amended* to read as
3 follows:

4 **“Section 11.** A new Subsection (x)(3) of Section 1, Chapter V of
5 Public Law 30-55 is hereby *added* to read as follows:

1 “(3) **Guam Veterans Cemetery Appropriation.** Notwithstanding
2 any other provision of the law, the sum of **One Hundred Fifty Thousand**
3 **Dollars (\$150,000)** is reprogrammed from the Guam Highway Fund and
4 appropriated to the Guam Veterans Affairs Office for the following use:

5 (A) To purchase materials, supplies and equipment to sustain
6 cemetery maintenance efforts for Fiscal Year 2010; and

7 (B) To procure services to address the deficiencies which were
8 identified in the August 2009 Department of Veterans Affairs National
9 Cemetery Administration’s Triennial Report on the Guam Veterans
10 Cemetery.”

11 **Section 2. Severability.** *If* any provisions of this Act or the application
12 thereof to any person or circumstance is held invalid, such invalidity shall *not*
13 affect any other provision or application of this Act which can be given effect
14 without the invalid provision or application, and to this end the provisions of this
15 Act are severable.



Mina'Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

April 23, 2010

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trenta na Liheslaturan Guahan
155 Hesler Place
Hagåtña, Guam 96910

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

2010 APR 26 PM 12:02
em

RE: Committee Report on Bill No. 371-30 (COR)

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 371-30 (COR):
"An Act to Amend a Section 11 of Public Law 30-101 Relative to the
Appropriation to the Guam Veterans Affairs Office" which was referred to
by the Committee on Appropriations, Taxation, Banking, Insurance,
Retirement, and Land.

Committee votes are as follows:

- TO PASS
- NOT TO PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Si Yu'us Ma'ase,

[Signature]
vicente c. pangelinan
Chairman

COMMITTEE REPORT
ON

Bill No. 371-30 (COR)
Sponsored by Senator vicente c. pangelinan

“An Act to Amend a Section 11 of Public
Law 30-101 Relative to the
Appropriation to the Guam Veterans
Affairs Office”



The People

Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

April 23, 2010

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Banking, Insurance,
Retirement, and Land

From: Senator vicente c. pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 371-30 (COR)

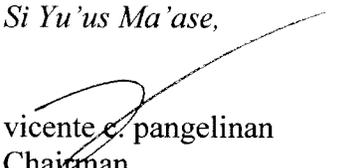
Transmitted herewith for your consideration is the Committee Report on Bill No. 371-30 (COR): "An Act to Amend a Section 11 of Public Law 30-101 Relative to the Appropriation to the Guam Veterans Affairs Office" sponsored by Senator vicente c. pangelinan

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative
- Copy of Bill No. 371-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 371-30 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Fiscal Note

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

Si Yu'us Ma'ase,


vicente c. pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

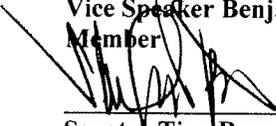
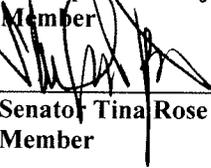
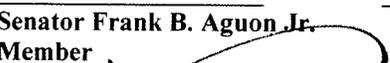
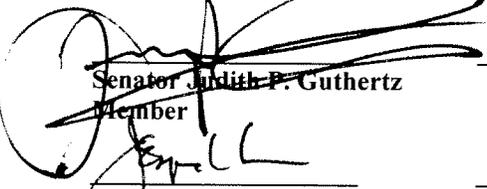
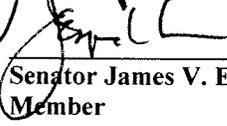
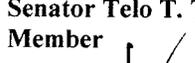
Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
Committee Voting Sheet
**Committee on Appropriations, Taxation, Banking, Insurance, Retirement,
and Land**

Bill No. 371-30 (COR): "An Act to Amend a Section 11 of Public Law 30-101 Relative to the Appropriation to the Guam Veterans Affairs Office"

Committee Members	To Pass	Not To Pass	Report Out	Abstain	Inactive Files
 Senator Vicente C. Pangelinan Chairperson	✓	_____	_____	_____	_____
 Speaker Judith T. Won Pat, Ed.D Vice Chairperson	✓	_____	_____	_____	_____
 Vice Speaker Benjamin J.F. Cruz Member	✓	_____	_____	_____	_____
 Senator Tina Rose Muña-Barnes Member	_____	_____	_____	_____	_____
 Senator Frank B. Aguon, Jr. Member	_____	_____	_____	_____	_____
 Senator Judith P. Guthertz Member	✓	_____	_____	_____	_____
 Senator James V. Espaldon Member	✓	_____	_____	_____	_____
 Senator Telo T. Taitague Member	_____	_____	_____	_____	_____
 Senator Frank Blas, Jr. Member	✓	_____	_____	_____	_____



Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

Committee Report

Bill No. 371-30 (COR) as amended by the Committee: "An Act to Amend a Section 11 of Public Law 30-101 Relative to the Appropriation to the Guam Veterans Affairs Office".

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

I. OVERVIEW

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing on April 22, 2010 at 9:00 am in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on April 15 (5-Day Notice), and again on April 20 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator vicente "ben" pangelinan, Chairman
Senator Judith P. Guthertz, member
Senator Tony Ada

(b) Appearing before the Committee

Art Mesa, Veterans Affairs/K57 Vet Talk
Tom Devlin, Veterans Affairs/MOPH/K57 Vet Talk
Frank Gofigan, Veterans Affairs/Veterans Cemetery

(c) Written Testimonies Submitted

None

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator ben pangelinan: The next bill on the agenda is bill 317 to Amend a Section 11 of Public Law 30-101 Relative to the Appropriation to the Guam Veterans Affairs Office. This is a bill that is being made again; it is a clarification not a new program and it's not a new appropriation. It is to be clear the transition of the reprogramming of funds to the Veterans Affairs Office for the purpose

of the work on the cemetery. There were different appropriations as we went along, trying to ensure that the appropriation source actually contained the appropriate amount of money to support the appropriation. In the last bill that we did for this purpose, we omitted the funding source for that reprogramming and while it was sufficient to allow funding from the general fund, the original bill as introduced had these funds reprogrammed from the Guam Highway Fund. When we went forward with the bill we did not catch that and did not specify that the money is coming from a reprogramming of the Highway fund and this would make it very clear so that when the money is to be released it is released and charged against the appropriate source to ensure that the appropriation level is sufficient and the revenue funding level is sufficient to support the appropriation. This is pretty much a housekeeping thing but we want to thank the individuals that are here this morning. We have Mr. Art Mesa, Mr. Tom Devlin and Mr. Frank Gofigan from the Veterans Affairs. We will go ahead and start with Mr. Mesa.

(b) Testimony

1. Art Mesa

Mr. Mesa: Thank you. My name is Art Mesa and I want to thank you Senators for being here. I wish there was more because this is an important issue. I'm here to vote, testify in favor of Bill 371. Now I understand that this is basically, like you mentioned earlier, a spinoff of Bill 317 which was initially submitted by Senator Tom Ada. I want to thank him too for bringing that up. We all know how in dire need Fred is [in]. I feel like, with his hands tied trying to get things done over there and this would really help a lot and I know the Veteran community is really appreciative of this. I wanted to make note that there are not that many veterans here and I think that it is like beating a dead horse. We've been here and testified several times for the cemetery for funding and so forth and I told several people and they nod their head. I think they're kind of tired.

Anyway I wanted to show our presence and show our support on this and I want to thank you for that. I also want to mention that the report that you refer to on this bill, the Tri-annual report, I believe, Fred correct me if I'm wrong, but the actual amount to fix the cemetery from public works perspective was \$2.4 million. So, this \$150,000 is definitely going to help us but I just wanted to bring that out and bring to your attention that if you actually see the response to this report which was done by the VA, the actual response to that is a \$2.4 Million fix and a lot of that has to do with that the graves are sinking. That isn't anybody's fault. You know, there are wetlands over there and those areas are shifting; they're sinking and they just have to be fixed. Anyway, again thank you for your support.

Panel Comments and Questions

Chairman pangelinan: Thank you very much and I'm sorry to have to drag you back here because once again this is a housekeeping thing and we just want to make sure that we're able to provide all of the operations that are required to get this support as originally introduced by Senator Ada to the Guam Veterans Affairs office and we appreciate your presence.

2. Tom Devlin

Mr. Devlin: Good morning Senators. My name is Tom Devlin and I am a member of the Military Order of the Purple Heart. I'm also one of the hosts of K57 Vet Talk, which many of the Senators have been on; Fred's been on.

I agree with everything that Art said but Art is more diplomatic than I am. I talk to a lot of veterans with various veteran organizations and all of the Senators in front of me and all the Senators know that in the last three weeks we have had some problems with Legislators and Executive Branch with respect to some bills. A lot of the veterans that I talk to are angry. They're not so much frustrated now it's come to a point where they are just angry. They don't understand why the legislators, whether Republican or Democrat, and the executive branch can't seem to get done and get things together. The attitude is the same old nonsense. Why bother to show up? It's the same old words, we may have the same Senators, we may have different Senators but the speeches are the same. They are angry. And sometimes they have to be angry at themselves by not coming down here and beating some people in the head. This has got to stop.

I think the attitude of the Legislators and the Executive Branch would be different if, let's say behind me was 2,000 veterans. I think it would be a lot different. Sometimes I look outside, I look at Fred as he sits next to me, and we have disagreements and Fred will be the first one to acknowledge that. But sometimes you're asking someone to do something with one hand tied behind their back, there isn't that money. \$150,000 to run a cemetery is not good enough. You know that sitting in front of me, I know that. Somewhere along the line we are going to have to come up with millions of dollars or as a group, as an island, decided that we can't have a state veteran's cemetery or we can use the one we have now and when it's filled up, we'll maintain it but we won't build another one. We'll just bury the veterans somewhere else so that they'll have to go to a private cemetery because the money is not being put in there.

Now it's not just this Legislature; it's the past, Republicans and Democrats. It's not one group versus another group; this has been an ongoing problem for fifteen (15) years, probably longer than that. The money has not been put in there. Now the senators are trying to do the best they can with the limited amount of funds they have. But sometimes I look at the Senators and Art knows my feelings and so does Fred that you are trying to borrow from Peter to pay Paul. And eventually somewhere along the line, it's going to catch up with everybody and it will come to a grinding halt. Some say the Marines are coming and we are going to get a lot of money coming to this island. The military is not going to bail out Guam, that's the bottom line. Militaries come and go; they're here for twenty (20) years, things change, they leave. They come back after fifty (50) or sixty (60) years, things change again. Somehow the island of Guam has to solve this problem with the VA. And maybe we have to be honest with the VA and say "yes" can you take it over because we just don't have the money to run the cemetery or bring it up to standard.

What is the actual figure we need, realistically now today, to bring the cemetery up to the VA standards? Do we know that answer? I believe it is in the millions of dollars. We don't have that kind of money. So when you sit here and have these budget hearings with these veterans

and their families, not everyone on this island is a veteran. But most families have veterans in their family. And I listen to these conversations and it's the same conversations over and over again. The veterans are tired of it. They know realistically Guam does not have this money but yet it is piece milling, piece milling and realistically the VA will come in and report to Fred, you have to do this and you have to do that and Fred would say, yes I will do it the best I can. But in the back of Fred's mind he is saying, I don't have \$2Million, the Government of Guam does not have \$2 Million.

Also the VA is saying, we don't want your cemetery, we don't want to take your cemetery back. It says the Guam Veterans Cemetery but also underneath the language it says it is funded by the Veterans Administration. That cemetery is not funded by the Veterans Administration. The first thing the Government of Guam should do is change that sign and take off "funded by the Veterans Administration" because when they see that, the average person would say, who is funding it, the feds? The feds are not funding it. The Government of Guam is basically funding that cemetery today. They get an allotment. Yes, I agree with the \$150,000 if it is there. You're taking it from the transportation fund correct?

Chairman pangelinan: correct.

Mr. Devlin: If you get that money, who knows? So we are sitting here again testifying to what? And all the Senators know that my thing is – show me the money. Don't promise me you are going to do it. Show me the money. What bank account is that money in and does it stay in the cemetery fund? It doesn't go back to the general fund; if it's lapsed it doesn't go back to the general fund, it stays there. And also, let me give you an example; let's say Fred, out of the \$100,000 spends \$50,000. You have \$50,000 left over. Next year, his budget let's say, I'm just giving you a general figure, \$200,000. Since you didn't spend the \$50,000 we'll take the \$50,000 you didn't spend. So you don't get \$250,000 you still only get \$200,000. We're playing with figures so generally his budget is always low. Then you have the Executive Branch. If I'm not mistaken, he was on a radio show and the Governor says he takes 10% off the top. Before you even see the money 10% already leaves. That's what the Governor said on the radio show.

I don't know what to say anymore, I've been here before, and I've testified that's why you don't see the veterans out there. They are angry. They are not frustrated, they are angry. Two weeks ago they came in here and were pounding people. Well, you knew about this, you knew a mistake was made. Not that a mistake was made but the Senators, not everybody I don't think, but some knew what was going on and didn't say, let's notify the veterans organizations so they know upfront. So all of a sudden everybody went up to Adelup, the Governor signed a bill and you should have been there Senators. It wasn't a pleasant sight. They were angry, they were mad, there were people there with oxygen tanks, and there were people there with amputations.

There is anger out there. And it is my responsibility when I see that anger to let you know. They're not frustrated anymore. There's anger. And there is anger at all fifteen (15) not one (1), two (2), all fifteen; whether Republican or Democrat. Because somewhere along the line something is amiss, something is failing. Did the veterans have a responsibility also? Yes. They have a responsibility to come to your offices and sit down and tell you in on no uncertain terms this has got to stop. But they only go so far because they only get frustrated and so tired of

testifying and testifying. And like you said Senator, it is housekeeping. But when the veterans hear that, they don't want to hear it is housekeeping.

Chairman pangelinan: Tom, for the record, I was on your show I told you and said that on the show prior to the signing of the bill that there was a mistake on that bill. That there was going to be a correction on that bill. So to say that nobody said anything about it....

Mr. Mesa: No, you we're talking about the license and registration.

Chairman pangelinan: Yes exactly. I was on the show Art. You pull up the record on the show when I appeared on your show. You called me up and wanted someone to come in last minute because you had a cancellation or somebody wasn't available and you called me up last minute and I said okay I'm going to come on and we discussed that. At that show I did say that there was a problem with the bill that the bill did not include the registration. It just included the plates and that Senator Ada was going to introduce a bill to ensure that the original intent of all of the cost associated with the registration and licensing of the vehicles for the 100% disability veterans were going to be waived.

Mr. Mesa: I can tell you right now, if that was the case then it flew right over our heads. We did not know and we went to the signing by the Governor and that's when it came out and we all looked at each other and said, what's this about?

Chairman pangelinan: Well, pull out the tape from the show and you'll see that I said...

Mr. Mesa: It's already pre-recorded over but I believe you; it probably just flew right over our heads.

Chairman pangelinan: I mentioned that; I was very specific, I said that was an oversight that Senator Ada and I talked about it and Senator Ada was going to introduce a new bill to fix it. Which he did already.

Mr. Mesa: I know that he did.

Mr. Devlin: I think in the future, if you call the TV crews in and explain to the TV because just the radio show is fine but I'm just saying that call the TV crews and have an interview with the TV crews and they can broadcast it. But they (veterans) are frustrated, they are angry.

Chairman pangelinan: We understand.

Mr. Devlin: And you have to hear that. It's not that the mistake was made, that didn't seem to bother them. It seems that they felt there was a disconnect and you know the mood out there. They are angry and sometimes you try to talk to them and it is very difficult because they are so angry about what is going on. It is \$150,000 but realistically we know we need millions of dollars and I know the Government of Guam doesn't have that money. I know that. Where we

get the money I have no idea. If I could write a check out for \$5 Million I would give it to Fred. Cannot do it. Thank you.

Chairman pangelinan: Thank you.

3. Frank Gofigan

Mr. Gofigan: My name is Frank Gofigan, Administrator for the Veterans Affairs Office and the Guam Veterans Cemetery falls under my purview. I'm here in support of the bill. I am asking the committee to please include the testimonies from the prior one of this to be included in with this.

Chairman pangelinan: Yes.

Mr. Gofigan: This is working out perfectly. We've been waiting for the money and hopefully trying to get the cemetery ready by Memorial Day. It is getting kind of challenging with the limited funds. But yes I would like to just let you know that Washington is closely watching what comes about with the Veterans Cemetery. I think two to three weeks ago Senator Tony Ada introduced a bill and there was a public hearing and a publication on it and the next day I received an email from the State Director of Veteran Affairs for State Cemeteries that said, "Fred is this good news." So it's no longer in the past when I had an argument with the Senator one time; Fred why don't you just apply for the grant and use government expenses. Can't you use the government's contribution? I said that is the past not now. And the immediate response from DC shows we are being monitored; they are looking at the progress of the cemetery.

I didn't get a chance bring it; I was trying to locate the letter where all the mortuaries on the island submitted a letter of support for us to get staffing down there. They have had firsthand experience in families waiting for half an hour because the Department of Parks and Recreation were up there in Tigua closing down a burial and then rushing down the street (to Veterans Cemetery) to lay somebody to rest. And I've had complaints about that from them and even families. One of the biggest challenges we have at the cemetery is enforcement of the rules and regulations.

The families sign a contract not to do this and that and the cemetery does not relay that to other family members. Yet, they come back and do their own thing even though the rules and regs are published right there as you go in the gate. So one of the things we are looking at with this money is posting those rules and regs in strategic areas in the cemetery so they would follow that. One of the sites of the tri-annual assessment was the lack of compliance with the rules and regs. And one of that would be the enforcement with the staff. I am happy for this money and I will put it to good use and get it to where - not where we want it to be but slowly getting to that level.

Chairman pangelinan: Thank you very much Mr. Gofigan and I think I caught you last night saying we issued the GG1's for the additional staffing earlier authorized, so that's good news.

Mr. Gofigan: It's been published and posted and the next step is for DOA to get the application(s) after that thirty (30) day period.

Chairman pangelinan: Thank you Mr. Gofigan. Senator Guthertz? Senator Ada?

Panel Comments and Questions

Senator Ada: Good morning gentlemen. I just wanted to know; the water situation down at that cemetery, has that been corrected already?

Mr. Gofigan: No not yet. The contract has been awarded so hopefully they will start this weekend. There are two major leaks at the cemetery. What happens is when the Navy opens their line and when they shut their line off and open it again, they don't properly bleed all the hydrants so all that pressure just pops out of those pipes. So know, we are looking at - I spoke to the person in charge down in NAVFAC and he said, "Fred, are the gates are locked?" And I said, No I leave it open 24/7. So now, he has ordered his people that before they turn on their lines to go in there and bleed all hydrants rather than just one. We're working on getting that done because we have a lot of water blasting to do and painting.

Mr. Mesa: I have a question. If they are responsible, why don't they pay for it?

Mr. Gofigan: I tried that but I have this short time frame. I'm not going to argue. I want to get a job done and make sure that the bad history doesn't repeat itself.

Senator Ada: What is that going to be costing?

Mr. Gofigan: We sent him a PO for about 8 or 9 thousand dollars. So right now for the different repairs for the cemetery - what we need are supplies and I'm using my office budget to compliment that and hopefully when we get the money, we will use it to transfer that expense over to that \$150,000.

Senator Ada: So in the meantime what are they doing with the water situation?

Mr. Gofigan: Right now we end the burials and everyone just leaves, so no one uses it. For staff usage, they haul water over but they are up at Tigua so they are always moving around.

Senator Ada: So this \$150,000 that is being appropriated - part of this you will take back for what you are spending correct?

Mr. Gofigan: Yes.

Senator Ada: How about the equipment?

Mr. Gofigan: A riding mower is sufficient to run. But once we get the staff on board, it takes that riding mower about a whole day to cut, with two riding mowers half the day. So we are going out for a quote for another riding mower.

Mr. Mesa: I hate to interject but I thought we had two?

Mr. Gofigan: We had two. One was down so we salvaged that.

Senator Ada: And a lift? So the cemetery currently has two lifts? Did you get a quotation for that lift yet?

Mr. Gofigan: We have a lift. Yes, one that is brand new and one that needs to be repaired. The lifts are no longer left outside. After every interment, it is taken inside so it's well protected and well taken care of. We already purchased the lift.

Senator Ada: Have you repaired the other one?

Mr. Gofigan: No, not yet.

Senator Ada: I noticed for the burials - are you purchasing larger canopies to accommodate?

Mr. Gofigan: We are looking at quotes. When we lay somebody to rest, especially the veteran's cemetery, we would like to do this with more dignity and a lot of it is perception. And we have the ones we use for parties and it's really tacky. So, what we are looking at is purchasing one of those wide canopies, the square ones, for a little more dignity. I think that's going to cost us \$2,500 for 15x15 and we're looking at purchasing three (3) or four (4). Once the staff comes on board, then we can handle burials from 8 o'clock in the morning till four (4) in the evening.

Right now we are only scheduled to handle - because of the staff use from Tigua cemetery, only afternoons. With that we will be able to handle two or three burials; one right after the other. The next question is probably use of the chapel. State cemetery says - our custom says to use it from 8 'clock to burial time and they say that is a no-no because you are stopping other people from utilizing it. So, it should only be for communal where you show your respect and have mass and or lay to rest and not for five to six hours like a vigil.

Senator Ada: But if there are no other services scheduled for that day. would there be a conflict as to letting them use it for - I mean, are they supposed to adapt to our local culture and customs of how we pray for our loved ones?

Mr. Gofigan: I understand that part Senator, but we have those that are not of the same religion and remember there are non-denominal. There are those that call and say they have all the information, can I lay them to rest tomorrow? I say, okay. Because a family member is coming in - or recently there was a veteran that was cremated over the weekend and then the wife all of a sudden decides to put him in a crypt. And it wasn't planned even the funeral home didn't know it until last minute and I get a call asking if this can be done it happened two days later. With the staff we are able to make those last minute adjustments. But when you start holding out for that sole purpose, then we have challenges.

Senator Ada: So when do you expect the chapel back in use and operational?

Mr. Gofian: Once I get the staff on board and a wipe down - one of the things I spoke to Senator Tom Ada about is putting rules and regs where the funeral home will bring their own equipment in whatever they would like to display of the deceased for whatever service; Catholic or not. And once it's done they remove it. And so we don't have to spend for those little things and to which the funeral homes already have and why should we spend when they should come in and set it up.

Senator Ada: Thank you sir. Thank you Mr. Chair.

Chairman pangelinan: thank you very much gentlemen. Sorry to take up more of your time for something that should already be done but we want to make sure that it gets done and give no reason why it can't get done.

Si yu'us ma'ase for your presence. There being no more business before this committee, the committee hereby adjourns. Si yu'us ma'ase.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, hereby reports out Bill No. 371-30 (COR) with the recommendation To Pass.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
THIRTIETH GUAM LEGISLATURE
2010 (SECOND) REGULAR SESSION

BILL NO. 371-30 (COR)

Introduced by:

v. c. pangelinan

RECEIVED
JAN 21 3 48
MUNICIPAL GOVERNMENT

AN ACT TO AMEND SECTION 11 OF PUBLIC LAW 30-101 RELATIVE TO THE APPROPRIATION TO THE GUAM VETERANS AFFAIRS OFFICE.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 11 of Public Law 30-101 is hereby amended
3 to read as follows:

4 "Section 11. A new Subsection (x)(3) of Chapter V of Public Law
5 30-55 is hereby added to read as follows:

6 "(3) Guam Veterans Cemetery Appropriation. Notwithstanding any
7 other provision of the law, the sum of **One Hundred Fifty Thousand**
8 **Dollars (\$150,000)** is reprogrammed from the Guam Highway Fund and
9 appropriated to the Guam Veterans Affairs Office for the following use:

10 (A) To purchase materials, supplies and equipment to sustain
11 cemetery maintenance efforts for Fiscal Year 2010; and

12 (B) To procure services to address the deficiencies which were
13 identified in the August 2009 Department of Veterans Affairs National
14 Cemetery Administration's Triennial Report on the Guam Veterans
15 Cemetery."

16 Section 2. Severability. If any provisions of this Act or the

1 application thereof to any person or circumstance is held invalid, such
2 invalidity shall not affect any other provision or application of this Act
3 which can be given effect without the invalid provision or application, and to
4 this end the provisions of this Act are severable.
5



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator vicente "ben" c. pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
PUBLIC HEARING
 Thursday, April 22, 2010
BILL NO. 371-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
<i>AET MESSA</i>	<i>POB 5706 MUNYON GS</i>	<i>472-3455</i>	<i>atmessage@yahoo.com</i>		<i>X</i>	<i>Yes</i>
<i>TOM DEVLIN MOPH</i>	<i>POB 24354 GRIFFIN 96921</i>	<i>727-1495</i>	<i>MOPH TRENTE NA MOPH</i>		<i>✓</i>	<i>Yes</i>
<i>Fred Mofigan</i>	<i>772 S. MARIANO ARIZONA 96960</i>	<i>727-7218</i>	<i>Fred.mofigan@guam.net</i>		<i>Y</i>	<i>Yes</i>

324 W. Soledad Ave. Hagatna, Guam 96910
 Ph. 473-4236 Fax. 473-4238
 Email: senbenp@guam.net

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 371-30 (COR)**

Bill Title (Preamble): AN ACT TO AMEND SECTION 11 OF PUBLIC LAW 30-101 RELATIVE TO THE APPROPRIATION TO THE VETERANS AFFAIRS OFFICE.

Department/Agency Appropriation Information

Dept./Agency Affected: Veterans Affairs		Dept./Agency Head: Fred Gofigan
Department's General Fund (GF) appropriation(s) to date:		\$546,629
Department's Other Fund (specify):	Appropriation(s) to date:	\$0
Total Department/Agency Appropriation(s) to date:		\$546,629

Fund Source Information of Proposed Appropriation

	General Fund:	Other (Specify): Guam Highway	Total:
FY 2010 Adopted Revenues	\$0	\$18,195,974	\$18,195,974
FY Appro. to P.L. 30-35 thru 30-112	\$0	(\$18,045,974)	(\$18,045,974)
Sub-total:	\$0	\$150,000	\$150,000
Less appropriation in Bill	\$0	\$150,000	\$150,000
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of Current FY (if applicable)	Second Year	Third Year	Fourth Year	Fifth Year
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Other Fund:	\$150,000	\$0	\$0	\$0	\$0	\$0
Total	\$150,000	\$0	\$0	\$0	\$0	\$0

- | | | |
|---|--------------------------------------|----------------------------------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | // Yes | /X/ No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ | // N/A | /X/ Yes // No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | // N/A
// N/A
/X/ N/A | // Yes
/X/ No
// Yes // No |
| 4. Will the enactment of this Bill require new physical facilities? | // Yes | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
// Requested agency comments not received by due date | // Yes
/X/ Other: Time constraint | /X/ No |

Analyst (s): Joe Certeza **Date:** 04/22/2010 **Director:** Bertha M. Duenas **Date:** APR 23 2010

Footnote: As of the latest appropriation to date, the FY2010 Special Fund appropriations are below the FY2010 Special Fund Adopted Revenues by \$150,000. As such, this appropriation for \$150,000 from the reprogrammed Guam Highway Fund to the Veterans Affairs Office can be supported at this time.



COMMITTEE ON RULES

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

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**James V. Espaldon
SENATOR**

April 14, 2010

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules

Subject: Referral of Bill No. 371-30(COR)

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 371-30(COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

COMMUNICATIONS SECTION
APR 14 11 09 21 AM '10

I Mina'Trenta Na Liheslaturan Guåhan
Bill Log Sheet
Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B371-30 (COR)	v.c. pangelinan	An act to amend Section 11 of Public Law 30-101 relative to the appropriation to the Guam Veterans Affairs Office.	4/13/10 3:48 p.m.	4/14/10	Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			



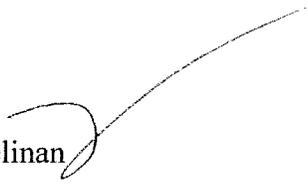
Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

April 15, 2010

Memorandum

To: All Senators

From: Senator vicente c. pangelinan 

Re: Public Hearing - FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am on Thursday, April 22, 2010** at the Guam Legislature's Public Hearing Room. The following bills are on the agenda:

Bill No. 370-30 (COR) (pangelinan): An Act to Amend §60112 Article 1, Division 2 of Chapter 60, 21 Guam Code Annotated relative to the Land for the Landless Program.

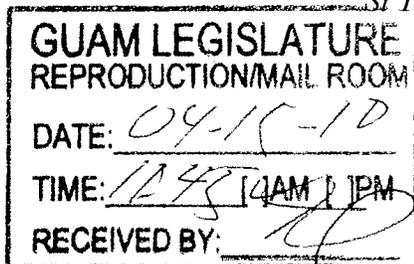
Bill No. 371-30 (COR)(pangelinan): An Act to Amend Section 11 of Public Law 30-101 Relative to the Appropriation to the Guam Veterans Affairs Office.

At the request of the Inarajan Mayor, Mr. Franklin M. Taitague, we will conduct a second public hearing beginning at **6:00pm on Thursday, April 22, 2010** on:

Bill No. 303-30 (COR)(Taitague): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot Dump in their backyards. The hearing will begin at 6:00pm at the Inarajan Mayor's Office.

For copies of the bill, you can log onto www.guamlegislature.com or www.senbenp.com

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Please see attached.

--
Lisa Cipollone
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Office of Senator ben c. pangelinan
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PUBLIC HEARING Thursday, April 22, 2010 AGENDA

9:00 AM

Location: Guam Legislature Public Hearing Room

Bill No. 370-30 (COR) (pangelinan): An Act to Amend §60112 Article 1, Division 2 of Chapter 60, 21 Guam Code Annotated relative to the Land for the Landless Program

Bill No. 371-30 (COR)(pangelinan): An Act to amend Section 11 of Public Law 30-101 Relative to the appropriation to the Guam Veterans Affairs Office.

6:00 PM

Location: Inarajan Mayor's Office

Bill No. 303-30 (COR)(Taitague): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the Host Community for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot Dump in their backyards.

-- Lisa Cipollone Chief of Staff Office of Senator ben c. pangelinan (671) 473-4236

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**Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE**

**Senator vicente "ben" c. pangelinan
Office of the People**

**PUBLIC HEARING
Thursday, April 22, 2010**

AGENDA

9:00 AM

Location: Guam Legislature Public Hearing Room

Bill No. 370-30 (COR) (pangelinan): An Act to Amend §60112, Article 1, Division 2 of Chapter 60, 21 Guam Code Annotated relative to the Land for the Landless Program

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**If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236. email at senbenp@guam.net or log onto www.senbenp.com
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Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangellinan
Office of the People

PUBLIC HEARING
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PDA - 4-15-10



Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

April 20, 2010

Memorandum

To: All Senators
From: Senator vicente c. pangelinan
Re: Public Hearing - SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am on Thursday, April 22, 2010** at the Guam Legislature's Public Hearing Room. The following bills are on the agenda:

Bill No. 370-30 (COR) (pangelinan): An Act to Amend §60112 Article 1, Division 2 of Chapter 60, 21 Guam Code Annotated relative to the Land for the Landless Program.

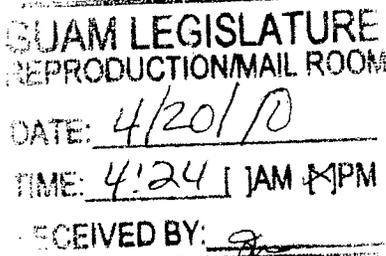
Bill No. 371-30 (COR)(pangelinan): An Act to Amend Section 11 of Public Law 30-101 Relative to the Appropriation to the Guam Veterans Affairs Office.

At the request of the Inarajan Mayor, Mr. Franklin M. Taitague, we will conduct a second public hearing beginning at **6:00pm on Thursday, April 22, 2010** on:

Bill No. 303-30 (COR)(Taitague): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot Dump in their backyards. The hearing will begin at 6:00pm at the Inarajan Mayor's Office.

For copies of the bill, you can log onto www.guamlegislature.com or www.senbenp.com

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Pat Santos <psantos@guamlegislature.org>,
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Please see attached.

--
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**PUBLIC HEARING
Thursday, April 22, 2010**

AGENDA

9:00 AM

Location: Guam Legislature Public Hearing Room

Bill No. 370-30 (COR) (pangelinan): An Act to Amend §60112 Article 1, Division 2 of Chapter 60, 21 Guam Code Annotated relative to the Land for the Landless Program

Bill No. 371-30 (COR)(pangelinan): An Act to amend Section 11 of Public Law 30-101 Relative to the appropriation to the Guam Veterans Affairs Office.

6:00 PM

Location: Inarajan Mayor's Office

Bill No. 303-30 (COR)(Taitague): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot Dump in their backyards.

--
 Lisa Cipollone
 Chief of Staff
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esa, Frank Crisostomo, and Office of Veterans Affairs administrator Anita Borja Enriquez announce the awarding of a grant to start on Guam at the University of Guam Monday. Zita Y. Taitano / Variety

on to open for yeing business

50,000 for fiscal year 2010. "It was a competitive grant application," said Anita Borja Enriquez, dean of the business school. She acknowledged the collaborative efforts of all the parties involved to get the grant and cited the Business Resources in Action.

Veterans Affairs Office Administrator Fred Goffinan said that a significant number of veterans attend BA's annual small business conference.

He was approached by Ken Lujan, SBA administrator for Guam, to advise him to take advantage of the grant funding to help those veterans.

Lujan said with the military buildup at the island's front door, the center will provide new opportunities for veterans. "We have a lot of reservists and guards men coming back from the desert looking for the business opportunity. We can help fine-tune their skills," he said.

Frank Crisostomo, the outreach center's director, said he will go to veterans who are unable to make it down to the Asan office.

"With today's modern technology, I do have a laptop and I will travel," Crisostomo said, adding that as a veteran himself, he believes he can help.

"Should someone come to me for procurement assistance, I can work with that individual but at the same time I can go to the resource partners. I think my biggest job right now is to set milestones. Find veterans, bring success either through funding, starting the business, marketing the business," he said.

Veterans advocate Art Mesa said the center is also beneficial for disabled veterans. "This has never been done before. This opportunity has never been presented to these guys before," he said.

LANCE

Lance is a beautiful white kitty. He's only about nine weeks old and he's filled with energy and curiosity. Be prepared to enjoy hours of playful cat and mouse games with this little guy. He's litter box trained, loves kids and other kitties. Come up to GAIN and bring a ball of string, Lance will be happy to play a game with you.



Come to the GAIN Animal Shelter in Yigo or call 653-4246.



Mina' Trenta Na Liheslaturan Guahan THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan
Office of the People

PUBLIC HEARING
Thursday, April 22, 2010

AGENDA

9:00 AM

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Senator vicente "ben" c. pangelinan
Office of the People

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Thursday, April 22, 2010
Guam Legislature Public Hearing Room
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6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2010 (SECOND) Regular Session

Date: 5/3/2010

VOTING SHEET

Bill No. 371-30(COR)

Resolution No. _____

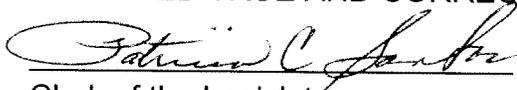
Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.					EA
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray					EA
WON PAT, Judith T.	✓				

TOTAL

13 _____ _____ _____ 2

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

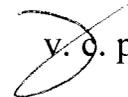
* 3 Passes = No vote
EA = Excused Absence

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2010 (SECOND) REGULAR SESSION

2009 APR 13 PM 3:48
M/M

BILL NO. 37130 (COR)

Introduced by:

 v. o. pangelinan

AN ACT TO AMEND SECTION 11 OF PUBLIC LAW 30-101 RELATIVE TO THE APPROPRIATION TO THE GUAM VETERANS AFFAIRS OFFICE.

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

2 **Section 1. Section 11 of Public Law 30-101 is hereby amended**
3 **to read as follows:**

4 **“Section 11. A new Subsection (x)(3) of Chapter V of Public Law**
5 **30-55 is hereby added to read as follows:**

6 **“(3) Guam Veterans Cemetery Appropriation. Notwithstanding any**
7 **other provision of the law, the sum of One Hundred Fifty Thousand**
8 **Dollars (\$150,000) is reprogrammed from the Guam Highway Fund and**
9 **appropriated to the Guam Veterans Affairs Office for the following use:**

10 (A) To purchase materials, supplies and equipment to sustain
11 cemetery maintenance efforts for Fiscal Year 2010; and

12 (B) To procure services to address the deficiencies which were
13 identified in the August 2009 Department of Veterans Affairs National
14 Cemetery Administration's Triennial Report on the Guam Veterans
15 Cemetery.”

16 **Section 2. Severability.** If any provisions of this Act or the

1 application thereof to any person or circumstance is held invalid, such
2 invalidity shall not affect any other provision or application of this Act
3 which can be given effect without the invalid provision or application, and to
4 this end the provisions of this Act are severable.
5