



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

January 5, 2012

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

31-11-1223
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 1/5/12
Time 3:40 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 363-31 (LS), "AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS FOR MATCHING OF GRANTS AVAILABLE FROM THE VETERANS AFFAIRS STATE CEMETERY GRANTS PROGRAM; AND TO APPROVE A CONCEPTUAL CAPITAL IMPROVEMENT PLAN RELATIVE TO THE EXPANSION OF THE GUAM VETERANS CEMETERY", which I signed into law on January 4, 2012 as Public Law 31-161.

Senseramente,

EDDIE BAZA CALVO

Attachment: copy of Bill

2012 JAN -5 PM 4:27 AM

1223

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

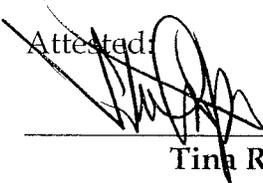
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that Bill No. 363-31 (LS), "AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS FOR MATCHING OF GRANTS AVAILABLE FROM THE VETERANS AFFAIRS STATE CEMETERY GRANTS PROGRAM; AND TO APPROVE A CONCEPTUAL CAPITAL IMPROVEMENT PLAN RELATIVE TO THE EXPANSION OF THE GUAM VETERANS CEMETERY", was on the 22nd day of December, 2011, duly and regularly passed.



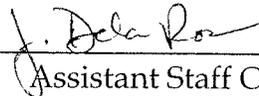
Judith T. Won Pat, Ed.D.
Speaker

Attested:



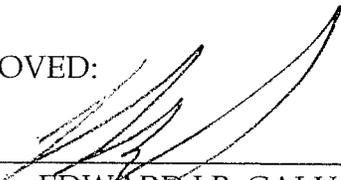
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 23rd day of Dec., 2011, at
10:35 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date:

JAN 04 2012

Public Law No. 31-161

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 363-31 (LS)

As amended by the Committee on Utilities,
Transportation, Public Works and Veterans Affairs;
and further amended on the Floor.

Introduced by:

T. C. Ada
Judith P. Guthertz, DPA
R. J. Respicio
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS
FOR MATCHING OF GRANTS AVAILABLE FROM
THE VETERANS AFFAIRS STATE CEMETERY
GRANTS PROGRAM; AND TO APPROVE A
CONCEPTUAL CAPITAL IMPROVEMENT PLAN
RELATIVE TO THE EXPANSION OF THE GUAM
VETERANS CEMETERY.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Veterans Cemetery, which began operations in 1953, consists of

1 eighteen (18) acres of land in *Piti*, Guam. To date, thirteen (13) acres have been
2 developed for cemetery use. Total gravesites today numbers about three thousand
3 six hundred (3,600).

4 *I Liheslaturan Guåhan* further finds that over a period of nearly six (6)
5 decades, many of the in-ground gravesites have settled below grade and are often
6 below water during periods of heavy rain. Consequently, grave markers need to
7 be raised and realigned. Significant seismic activity has also resulted in the
8 structural compromise of the aboveground crypts, resulting in the settling of the
9 crypts. Approximately four hundred (400) niches are obviously compromised, as
10 well as another three hundred seventy (370) niches that will need to be evaluated
11 to determine their structural soundness. An engineering evaluation of the crypts
12 will need to be performed to determine if maintenance and repairs (M&R) is an
13 option, or if the compromised structures must be demolished and rebuilt.

14 *I Liheslaturan Guåhan* further finds that as of October 2011, the Cemetery
15 has twenty-five (25) in-ground burial sites remaining and in-ground burials are an
16 option close to being exhausted. In-ground burial sites are currently reserved
17 primarily for over-sized caskets. There are, *however*, small areas that could be
18 developed to add more burial sites. The burial rate is approximately two hundred
19 (200) per year. There are one thousand one hundred (1,100) crypts available, *not*
20 including the four hundred ninety-six (496) that have been reserved for double
21 burials. Expansion of burial capacity at the Cemetery must be initiated and
22 implemented.

23 *I Liheslaturan Guåhan* finds that the Guam Office of Veterans Affairs
24 (GOVA) is eligible to be considered by the State Cemetery Grants Service of the
25 U.S. Department of Veterans Affairs for a grant of up to One Hundred Seventy-
26 Five Thousand Dollars (\$175,000) for maintenance and repairs (M&R) at the

1 Guam Veterans Cemetery, and for a grant of up to Three Million Nine Hundred
2 Fifty-Two Thousand Five Hundred Dollars (\$3,952,500). The government of
3 Guam must, *however*, provide ten percent (10%), of federal grants available, in
4 local funds for startup matching for the M&R and the Capital Improvement Plan
5 (CIP). The purpose of the matching funds is to support the project development
6 prior to the grant award.

7 It is, therefore, the intent of *I Liheslaturan Guåhan* to support the Guam
8 Office of Veterans Affairs in its effort to obtain grants for which they are qualified
9 and to provide, when able to, the financial resources to be eligible for grant award
10 consideration by the State Cemetery Grants Service.

11 **Section 2. Authorization to Use Local Funds as Matching Funds.**

12 In the event that GOVA's application for the CIP and M&R grants are favorably
13 considered, *I Maga'lahi* (the Governor) is hereby authorized to use his transfer
14 authority to provide a ten percent (10%) local matching funds for each of two (2)
15 projects for expansion of burial capacity and maintenance and repair of the Guam
16 Veterans Cemetery. Limitations to *I Maga'lahi's* (the Governor's) transfer
17 authority *shall not* be applicable to this transfer. Funds identified for transfer *shall*
18 be subject to re-appropriation by *I Liheslatura*.

19 **Section 3. Conceptual Capital Improvement Plan Approved.**

20 The conceptual plan for the capital improvement of the Cemetery is
21 approved as follows:

22 1. The expansion of the Guam Veterans Cemetery *shall* remain at
23 the existing location in *Piti*.

24 2. Additional Burial Capacity *shall* be attained through the
25 construction of above-ground crypts and columbaria.

1 a. Up to one thousand (1,000) additional crypts are to be
2 constructed on the remaining five (5) acres of undeveloped Cemetery
3 land; and

4 b. Up to one thousand (1,000) columbarium niches are to
5 be built. The columbarium niches are intended to hold the urns of
6 cremated veterans *or* dependents.

7 3. If expansion of the Cemetery requires additional ground space
8 for the construction of aboveground crypts, the possibility of disinterment is
9 to be explored.

10 4. The existing perimeter fence of the Cemetery is to be replaced
11 with a concrete perimeter fence and appropriate security gate(s).

12 5. Appropriate memorials are to be considered for construction,
13 memorializing World War II, the Korean War, the Vietnam War, and the
14 Gulf Wars.

15 6. This plan may be further modified as the environmental and
16 other studies are conducted for the proposed grant.

17 **Section 4. Severability.** *If* any provision of this Law or its application to
18 any person or circumstance is found to be invalid or contrary to law, such
19 invalidity *shall* not affect other provisions or applications of this Law which can
20 be given effect without the invalid provisions or application, and to this end the
21 provisions of this Law are severable.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: 12/22/11

VOTING SHEET

ABill No. 363-31(COR)

Resolution No. _____

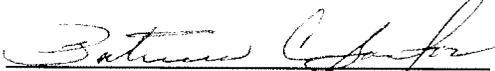
Question: _____

NAME	<u>YEAS</u>	<u>NAYS</u>	NOT VOTING/ <u>ABSTAINED</u>	OUT DURING <u>ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

December 12, 2011

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

RECEIVED IN
JAN 11 2012

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

RE: Committee Report on Bill No. 363-31 (LS), As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on **Bill No. 363-31 (LS), As Amended** – “An act to authorize the use of local funds for matching of grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Conceptual Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery.”

Committee votes are as follows:

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

Si Yu'os ma'åse',

Thomas C. Ada



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

**COMMITTEE REPORT
ON**

BILL No. 363-31 (LS), As Amended

(Sponsored by T. C. Ada, J. P. Guthertz, DPA, R. J. Respicio)

“An act to authorize the use of local funds for matching of grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Conceptual Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery”



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

December 12, 2011

MEMORANDUM

To: **All Members**
Committee on Utilities, Transportation, Public Works and Veterans Affairs

From: **Senator Thomas C. Ada** 
Committee Chairperson

Subject: **Committee Report on Bill No. 363-31 (LS), As Amended**

Transmitted herewith for your consideration is the **Committee Report on Bill No. 363-31 (LS), As Amended** – “An act to authorize the use of local funds for matching of grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Conceptual Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery.”

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 363-31 (LS), As Introduced
- Copy of Bill No. 363-31 (LS), As Amended
- Public Hearing Sign-in Sheet
- Referral of Bill No. 363-31 (LS)
- Notices of Public Hearing
- Public Hearing Agenda

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

Si Yu'os ma'åse'!



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
 31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guahan

COMMITTEE VOTE SHEET

Bill 363-31 (LS), As Amended – T. C. Ada, J. P. Guthertz, DPA, R. J. Respicio – An act to authorize the use of local funds for matching of grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Conceptual Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		12/12/11 ✓				
SENATOR ADOLPHO B. PALACIOS, SR. Vice Chairperson		12/12/11 ✓				
VICE SPEAKER BENJAMIN J.F. CRUZ Member						
SENATOR RORY J. RESPICIO Member						
SENATOR TINA ROSE MUÑA BARNES Member						
SENATOR DENNIS G. RODRIGUEZ, JR. Member		12/12				
SENATOR V. ANTHONY ADA Minority Member		12/12/11				
SENATOR ALINE A. YAMASHITA, PH.D. Minority Member		12/12/11				
SENATOR MANA SILVA TAIJERON Minority Member						
SENATOR CHRISTOPHER M. DUEÑAS Minority Member		12/12/11 ✓				

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill 363-31 (LS) was introduced on November 1, 2011 by the Sponsor, Senator Tom Ada, and was subsequently referred by the Committee on Rules to the Committee on Public Works, Transportation, Utilities and Veterans Affairs on November 1, 2011.

The Committee on Public Works, Transportation, Utilities and Veterans Affairs convened a public hearing on Bill 363-31 (LS) on November 10, 2011 at 4:00 pm in *I Liheslatura's* Public Hearing Room to receive public testimony on the measure.

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on November 3, 2011 (5-Day Notice), and again on November 8, 2011 (48-Hour Notice).

Senators Present

Senator Thomas C. Ada	Committee Chairperson
Senator Adolpho B. Palacios, Sr.	Committee Vice-Chairperson
Senator V. Anthony Ada	Committee Member
Senator vicente pangelinan	

Individuals Present

Mr. John Unpingco, Special Assistant to the Governor/Administrator, Office of Veterans Affairs (*oral testimony*)
Mr. Bill Cundiff, Guam USAF Veterans (*oral testimony*)
Mr. Tom Devlin, Military Order of the Purple Heart (MOPH) (*oral testimony*)
Mr. Dan Mendiola, Vietnam Veterans of America (VVA), Chapter 668 (*oral testimony*)

No written testimonies were submitted.

II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 4:00 pm.

Chair Ada: Provides overview of bill, stating that OVA Administrator, Mr. John Unpingco, identified funding source of approximately \$4.2M for capital improvements and maintenance & repairs at the Veterans Cemetery. Approximately, \$175K may be available for maintenance & repairs, to include the restoration of sunken headstones for in-ground gravesites and, about \$4M may be available for the construction of capital improvement projects (CIP) to provide more burial capacity and a perimeter fence around the Veterans Cemetery.

Mr. John Unpingco: Mr. Unpingco is Administrator of Guam Office of Veterans Affairs (OVA). States that during his visit to Guam, Secretary of Veterans Affairs, Eric Shinseki was able to visit the Veterans Cemetery. States that Gen. Shinseki was able to see the various sites needing repair, including an area of crypts where the ground had shifted due to soil subsidence and earthquakes. Reports that the entire cemetery is located on a sloping hill that is subject to

erosion, and that there are about 400 crypts that have been damaged from earthquakes and foundation shifts. States that OVA is on target for consideration for \$175K in cemetery operations funding (maintenance and upkeep), and another grant for \$4M for expansion of cemetery or to build another cemetery for FY 2013. OVA missed the window on FY 2012 by nine days. Expresses that the general sentiment of the Veterans is that they wish to expand the present cemetery by the construction of new crypts, columbaria, and possible land acquisition. Made clear by the Veterans during a meeting with the various Veteran organizations. Clarifies that columbaria is where the remains of Veterans who have chosen to be cremated is stored.

States that one of the prerequisites for expansion is that 10% funding be matched; this 10% requires a commitment by the Governor and the Legislature for such an amount, and is completely reimbursable to Guam when the grant is disbursed. The Veterans Cemetery Grants reimburses fully, and, more importantly, they see a commitment on the part of the Government of Guam to the project. The 10% will be the initial money used for feasibility studies, such as environmental and topographical studies, soil studies and so forth.

States that there is a natural ponding basin behind the Cemetery, and would like to see a feasibility study done on having the water pumped up to the top of the hill to have the water, through forced gravity feed, pump throughout the rest of the Cemetery. This would result in being independent of the public water system for its irrigation needs. Hopes that this option will reduce OVA's water bill at the Cemetery, and sees it as an example of cost-saving measure for the government.

Restates that funds are completely reimbursable. Guam gives the green light for furnishing the 10%; we do the study with the 10% and the Cemetery Grants reimburses. The money can very well be not necessary, in terms of being seed money, because the money for the grants can come on time, or we can expend and will still be fully reimbursed. It is respectfully requested that the bill be passed, that you allow us to compete for a grant among all the other states as we have already an inside advantage in that Secretary Shinseki has seen first hand the condition of our cemetery, and as we have about 1,100 slots (not 1,223) presently available, we will be completely full in 5 years or less. This is a projection that OVA is doing about 200+ burials/year. At the rate we're going, it looks like we're going to make it. Thus, this is the right time to seek outside funding for our cemetery. On behalf of the Veterans and their families, we would like to Thank you for allowing us this opportunity.

Mr. Bill Cundiff: Mr. Cundiff is President of the Guam US Air Force Veterans. States that he is present on behalf of the team to support the bill. Mentions that he just finished speaking to the Guam Rotary Club, stating that in 2010 there were over 9 million veterans over 65 years of age, nation-wide, which likely includes some of Guam's Veterans. States that Veterans are getting old, and that the Cemetery will always be there. Supports Bill, and appreciates proactive approach of bill. Hopes to see improvements in the next couple of years.

Mr. Tom Devlin: Mr. Devlin is Commander of Chapter 1315, MOPH, Guam. States that organization has discussed deficiencies at the Cemetery, and all are in agreement that this bill is the best way to go. Organization wholeheartedly supports John Unpingco with respect to this bill, and they would like to thank the senators for addressing it.

Mr. Dan Mendiola: Mr. Mendiola is the Vice President of the VVA, Chapter 668. States that this is a well-timed bill in that Nov 11 is Veterans Day. States support of Bill, and that it will benefit many Veterans down the line. When bill is passed, many of the present discrepancies at Cemetery will be addressed – for example, markers/headstones are not aligned. Hopes that funding will allow for renovations at Chapel, so that viewing services may be held at Cemetery. Thanks all for support, and appreciates Mr. Unpingco for his efforts with obtaining grants.

Question & Answer

Senator V.A. Ada: Asks Mr. Unpingco if federal funding will accommodate the burial of dependents/spouses.

Mr. Unpingco: Responds that Veterans are buried free of charge (National regulations); but that there are a growing number of states requiring dependents (spouses and children under age of 18 who are dependent on parents) to be charged for interment services at Veterans cemeteries. Even if cemeteries are state run, families/dependents are charged the fee for maintenance of cemetery. At present, Guam does not charge fee. Foresees the need to charge dependents in the future to help finance the upkeep of the cemetery. States are varied in the fee amounts, ranging from \$500-\$1300. GOVA has considered charging, but concerned about timing.

Senator V.A. Ada: Asks if there is a condition in the grant that states funding can be utilized only if a Veterans Cemetery, not to include dependents.

Mr. Unpingco: Responds that dependents are considered “veteran.” The grant does not mandate, require or force OVA to charge the Veterans’ dependents a certain amount. That’s the beauty of it. There will be other grants available.

Another grant being opened to State Veterans cemeteries has to do with transportation for the Veterans. You apply for a \$200K grant for a specially converted mini-bus/passenger carrying bus. It takes homebound or wheelchair-bound veterans to their medical appointments or grocery shopping, and comes with monies available for a driver. GOVA will be seeking out this grant, and sees the matching funds bill as important.

Senator pangelinan: Clarifies with Judge Unpingco that grant cycle is for 2013, and that \$4M is for the construction of the expansion of the Cemetery.

Mr. Unpingco: States that GOVA missed the 2012 cycle, affirms that \$4M is for construction of expansion.

Senator pangelinan: Asks if \$4M is total amount based on the drawings or the current plans.

Mr. Unpingco: States that there are currently no plans/drawings. \$4M is but a start. Clarifies that once in the grant pool, a realistic appraisal is required. Input from the studies is taken into consideration as well. Anticipates higher amounts once studies are completed, given conditions of soil and location of Cemetery.

Senator pangelinan: Asks what additional capacity the \$4M would add to the Cemetery.

Mr. Unpingco: Difficult to say.

Chair Ada: Clarifies that the Conceptual Plan on Section 3 quantifies the additional burial capacity through crypts and columbaria.

Mr. Unpingco: Further adds, that it's an additional 1000 projected.

Chair Ada: Additionally, burial capacity is expected to increase to 2000, 1000 for columbaria niches and 1000 for aboveground crypts.

Mr. Unpingco: States for columbaria, that is just a rough projection but believes that more space can be achieved by shaving off part of a hill, but this involves obtaining many licenses from DPW, etc.

Senator pangelinan: Has there been any additional information on the number of verified Veterans.

Mr. Unpingco: This is still being worked on. Applied for grant from Dept of Interior for computers to track the number of Veterans. Grant has been approved, but for a modest amount. Will know better once computers are set up. Present estimate is 8000-13,000, possibly even as high as 17,000.

Chair Ada: That just includes the Veteran, not their family.

Mr. Unpingco: That's correct.

Chair Ada: Asks to clarify 10% local match, and how the federal grant works. Do we go in and spend the 10%, the \$400K, and cross our fingers that we'll get the \$4M that comes with it?

Mr. Unpingco: Explains, "No," the green light for spending comes from the National Veterans Cemetery Grants Service. When we get the grant, they say go ahead with your 10% with the studies. When grant is disbursed, it is automatic in the disbursement that the amount expended is reimbursed to us. We get 100% reimbursement; there is no risk on our part.

Chair Ada: But that first dollar has to be a local fund to demonstrate commitment.

Mr. Unpingco: Responds, "Yes."

Chair Ada: You've indicated in Section 3, the Conceptual Capital Improvement Plan, that this is conceptual because there are no engineering drawings to date, just a picture in the mind of how the Cemetery will be developed to provide capacity. You'd like to include the construction of a water tank for a self-supplied watering system for the Cemetery, and also including the Chapel.

Mr. Unpingco: Clarifies that the Chapel is operational.

Chair Ada: For the Chapel, funding would assist with maintenance and renovation.

Mr. Unpingco: Clarifies that cemeteries in Hawai'i, for example, the ceremony for the deceased is in another enclosure, opened on all sides, prayers are said, but the coffin is left there. Cemetery workers take care of burying the body or placing it in the crypt. But here, based on local custom, mourners stay until casket is placed in niche and covered, which is when ceremony is considered over.

Chair Ada: On the Conceptual Plan, existing cemetery grounds are to be expanded upon by building up to provide additional capacity. Plan also includes the possibility of exhuming those buried in the ground to then be placed in aboveground crypts. Would you care to elaborate on that?

Mr. Unpingco: That's a lower priority, but a subject under the seed money. We are looking at the immediate need, including building more crypts. States that there is a small piece of land that has not yet been used, on the south side in front of Marine Drive, where crypts can be built. States that the land adjacent to the Cemetery has been returned (back border of Cemetery) by the Navy. The next bill moving forward would be to get a commitment that land can be used/dedicated to the Cemetery expansion. Doesn't see the need for two cemeteries, and the burden of maintaining each.

Chair Ada: Two more questions: What Veterans are allowed to be buried at the Cemetery?

Mr. Unpingco: In Hawai'i, the State Cemetery allows for the owners of the land to be buried in a separate plot, away from the Veterans, because they donated the land for the Cemetery. Here at our Cemetery, the Johnsons have requested the same thing (1-2 graves inground).

Chair Ada: Last question: The Cemetery was opened in 1953, 58 years later, there are only 4000 buried there. Why might this be the case?

Mr. Unpingco: First, prior administrators might have been overwhelmed by the application process; second, some may have been indifferent to it. Predicts that in 5 years or less, the Cemetery will have reached its capacity.

Chair Ada: Wishes "Happy Veterans Day" to all. Bill 363-31 is hereby deemed publicly heard. The public hearing was adjourned at 4:32 pm.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Utilities, Public Works, Transportation and Veterans Affairs hereby reports out Bill 363-31 (LS), As Amended by the Committee, with the recommendation TO PASS.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

2011 NOV - 1 PM 12:22
MMW

Bill No. 363-31 (LS)

Introduced by:

T. C. Ada 
J. P. Guthertz, DPA 
R. J. Respicio 

**AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS
FOR MATCHING GRANTS AVAILABLE FROM THE
VETERANS AFFAIRS STATE CEMETERY GRANTS
PROGRAM AND TO APPROVE A CAPITAL
IMPROVEMENT PLAN RELATIVE TO THE
EXPANSION OF THE GUAM VETERANS CEMETERY.**

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

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan*
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4 of 18-acres of land in Piti, Guam. To date, 13-acres have been developed for
5 cemetery use. Total gravesites today numbers about 3,600.

6 *I Liheslaturan Guåhan* further finds that over a period of nearly six
7 decades, many of the in-ground gravesites have settled below grade and are
8 often below water during periods of heavy rain. Consequently, grave
9 markers need to be raised and realigned. Significant seismic activity has
10 also resulted in the structural compromise of the aboveground crypts,
11 resulting in the settling of the crypts. Approximately 300 niches are

1 obviously compromised as well as another 370 niches that will need to be
2 evaluated to determine their structural soundness. An engineering
3 evaluation of the crypts will need to be performed to determine if
4 maintenance and repairs (M&R) is an option, or if the compromised
5 structures must be demolished and rebuilt.

6 *I Liheslaturan Guåhan* further finds that as of October 2011, the
7 Cemetery has 25 in-ground burial sites remaining; in-ground burials is an
8 option close to being exhausted. In-ground burial sites are currently
9 reserved primarily for over-sized caskets. There are however, small areas
10 that could be developed to add more burial sites. Burial rate is
11 approximately 135 per year. There are 1,222 crypts available, not including
12 the 496 that have been reserved for double burials. Expansion of burial
13 capacity at the cemetery must be initiated and implemented.

14 *I Liheslaturan Guåhan* finds that the GOVA is eligible to be
15 considered by the State Cemetery Grants Service of the U.S. Department of
16 Veterans Affairs for a grant of up to One Hundred Seventy Five Thousand
17 Dollars (\$175,000) for maintenance and repairs (M&R) at the Guam
18 Veterans Cemetery, and for a grant of up to Three Million Nine Hundred
19 Fifty Two Thousand and Five Hundred Dollars (\$3,952,500). The
20 Government of Guam must, however, *provide* ten percent (10%), of federal
21 grants available, in local funds for startup matching for the M&R and the
22 Capital Improvement Plan (CIP). The purpose of the matching funds is to
23 support the project development prior to the grant award.

24 It is, therefore, the intent of *I Liheslaturan Guåhan* to support the
25 Guam Office of Veterans Affairs in its effort to obtain grants for which they
26 are qualified and to provide, when able to, the financial resources to be
27 eligible for grant award consideration by the State Cemetery Grants Service.

1 **Section 2. Authorization To Use Local Funds as Matching Funds.**

2 In the event that GOVA’s application for the CIP and M&R grants are
3 favorably considered, the Governor is hereby authorized to use his transfer
4 authority to provide a ten percent (10%) local matching funds for each of
5 two (2) projects for expansion of burial capacity and maintenance & repair
6 of the Guam Veterans Cemetery. Limitations to the Governor’s transfer
7 authority shall not be applicable to this transfer.

8 **Section 3. Conceptual Capital Improvement Plan Approved.**

9 The conceptual plan for the capital improvement of the Cemetery
10 is approved as follows:

- 11 1. The expansion of the Guam Veterans Cemetery shall
12 remain at the existing location in Piti.
- 13 2. Additional Burial Capacity shall be attained through the
14 construction of above-ground crypts and a columbaria.
 - 15 a. Up to One thousand (1,000) additional crypts are
16 to be constructed on the remaining five (5) acres of
17 undeveloped cemetery land, and
 - 18 b. Up to One thousand (1,000) columbarium niches
19 are to be built. The columbarium niches are
20 intended to hold the urns of cremated veterans or
21 dependents.
- 22 3. If expansion of the Cemetery requires additional ground
23 space for the construction of aboveground crypts, the
24 possibility of disinterment is to be explored.
- 25 4. The existing perimeter fence of the Cemetery is to be
26 replaced with a concrete perimeter fence and appropriate
27 security gate(s).

1 5. Appropriate memorials are to be considered for
2 construction, memorializing WW II, Korean War, the
3 Vietnam War, and the Gulf Wars.

4 6. This plan may be further modified as the environmental
5 and other studies are conducted for the proposed grant.

6 **Section 4. Effective Date.** This Act shall be effective upon date of
7 enactment.

8 **Section 5. Severability.** *If* any provision of this Law or its
9 application to any person or circumstance is found to be invalid or contrary
10 to law, such invalidity *shall* not affect other provisions or applications of this
11 Law which can be given effect without the invalid provisions or application,
12 and to this end the provisions of this Law are severable.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 363-31 (LS)
As Amended by the Committee on
Utilities, Transportation, Public Works
and Veterans Affairs

Introduced by:

T. C. Ada
J. P. Guthertz, DPA
R. J. Respicio

**AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS
FOR MATCHING OF GRANTS AVAILABLE FROM
THE VETERANS AFFAIRS STATE CEMETERY
GRANTS PROGRAM AND TO APPROVE A
CONCEPTUAL CAPITAL IMPROVEMENT PLAN
RELATIVE TO THE EXPANSION OF THE GUAM
VETERANS CEMETERY.**

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

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan*
3 finds that the Guam Veterans Cemetery began operations in 1953, consisting
4 of 18-acres of land in Piti, Guam. To date, 13-acres have been developed for
5 cemetery use. Total gravesites today numbers about 3,600.

6 *I Liheslaturan Guåhan* further finds that over a period of nearly six
7 decades, many of the in-ground gravesites have settled below grade and are
8 often below water during periods of heavy rain. Consequently, grave
9 markers need to be raised and realigned. Significant seismic activity has

1 also resulted in the structural compromise of the aboveground crypts,
2 resulting in the settling of the crypts. Approximately ~~300~~ 400 niches are
3 obviously compromised as well as another 370 niches that will need to be
4 evaluated to determine their structural soundness. An engineering
5 evaluation of the crypts will need to be performed to determine if
6 maintenance and repairs (M&R) is an option, or if the compromised
7 structures must be demolished and rebuilt.

8 *I Liheslaturan Guåhan* further finds that as of October 2011, the
9 Cemetery has 25 in-ground burial sites remaining; in-ground burials is an
10 option close to being exhausted. In-ground burial sites are currently
11 reserved primarily for over-sized caskets. There are however, small areas
12 that could be developed to add more burial sites. Burial rate is
13 approximately ~~135~~ 200 per year. There are ~~1,222~~ 1,100 crypts available, not
14 including the 496 that have been reserved for double burials. Expansion of
15 burial capacity at the cemetery must be initiated and implemented.

16 *I Liheslaturan Guåhan* finds that the GOVA is eligible to be
17 considered by the State Cemetery Grants Service of the U.S. Department of
18 Veterans Affairs for a grant of up to One Hundred Seventy Five Thousand
19 Dollars (\$175,000) for maintenance and repairs (M&R) at the Guam
20 Veterans Cemetery, and for a grant of up to Three Million Nine Hundred
21 Fifty Two Thousand and Five Hundred Dollars (\$3,952,500). The
22 Government of Guam must, however, *provide* ten percent (10%), of federal
23 grants available, in local funds for startup matching for the M&R and the
24 Capital Improvement Plan (CIP). The purpose of the matching funds is to
25 support the project development prior to the grant award.

26 It is, therefore, the intent of *I Liheslaturan Guåhan* to support the
27 Guam Office of Veterans Affairs in its effort to obtain grants for which they

1 are qualified and to provide, when able to, the financial resources to be
2 eligible for grant award consideration by the State Cemetery Grants Service.

3 **Section 2. Authorization To Use Local Funds as Matching Funds.**

4 In the event that GOVA's application for the CIP and M&R grants are
5 favorably considered, the Governor is hereby authorized to use his transfer
6 authority to provide a ten percent (10%) local matching funds for each of
7 two (2) projects for expansion of burial capacity and maintenance & repair
8 of the Guam Veterans Cemetery. Limitations to the Governor's transfer
9 authority shall not be applicable to this transfer.

10 **Section 3. Conceptual Capital Improvement Plan Approved.**

11 The conceptual plan for the capital improvement of the Cemetery
12 is approved as follows:

- 13 1. The expansion of the Guam Veterans Cemetery shall
14 remain at the existing location in Piti.
- 15 2. Additional Burial Capacity shall be attained through the
16 construction of above-ground crypts and a columbaria.
 - 17 a. Up to One thousand (1,000) additional crypts are
18 to be constructed on the remaining five (5) acres of
19 undeveloped cemetery land, and
 - 20 b. Up to One thousand (1,000) columbarium niches
21 are to be built. The columbarium niches are
22 intended to hold the urns of cremated veterans or
23 dependents.
- 24 3. If expansion of the Cemetery requires additional ground
25 space for the construction of aboveground crypts, the
26 possibility of disinterment is to be explored.

- 1 4. The existing perimeter fence of the Cemetery is to be
2 replaced with a concrete perimeter fence and appropriate
3 security gate(s).
- 4 5. Appropriate memorials are to be considered for
5 construction, memorializing WW II, Korean War, the
6 Vietnam War, and the Gulf Wars.
- 7 6. This plan may be further modified as the environmental
8 and other studies are conducted for the proposed grant.

9 **Section 4. Effective Date.** This Act shall be effective upon date of
10 enactment.

11 **Section 5. Severability.** *If* any provision of this Law or its
12 application to any person or circumstance is found to be invalid or contrary
13 to law, such invalidity *shall* not affect other provisions or applications of this
14 Law which can be given effect without the invalid provisions or application,
15 and to this end the provisions of this Law are severable.



COMMITTEE ON RULES

I Mina'trentai Unu na Libeslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: ronforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

11/08/11
11/08/11
03

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

November 8, 2011

Memorandum

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

To: Pat C. Santos
Clerk of the Legislature

MAJORITY MEMBERS:

From: Senator Rory J. Respicio

Speaker
Judith T. Won Pat

Subject: Fiscal Notes

Vice Speaker
Benjamin J. F. Cruz

Hafa Adai!

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Bill No.: 338-31 (COR) 363-31 (LS)
350-31 (COR)

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Si Yu'os ma'åse'!

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORRAY TENORIO
LIEUTENANT GOVERNORJOHN A. RIOS
ACTING DIRECTORSTEPHEN J. GUERRERO
DEPUTY DIRECTOR

NOV 07 2011

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 338-31(COR), 350-31(COR), and 363-31(LS).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


JOHN A. RIOS
Acting Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 363-31 (LS)**

AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS FOR MATCHING GRANTS AVAILABLE FROM THE VETERANS AFFAIRS STATE CEMETERY GRANTS PROGRAM AND TO APPROVE A CAPITAL IMPROVEMENT PLAN RELATIVE TO THE EXPANSION OF THE GUAM VETERANS CEMETERY.

Department/Agency Appropriation Information	
Dept./Agency Affected: Office of the Veterans Affairs	Dept./Agency Head: John Unpingco, Special Assistant
Department's General Fund (GF) appropriation(s) to date:	312,594
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$312,594

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 31-75 & 31-77)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	1/	1/	1/	1/

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

Analyst: <u>Joseph Certeza</u>	Date: <u>11/07/2011</u>	Director: <u>John A. Rios, Acting Director</u>	Date: <u>11/7/11</u>
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Footnote(s):

1. The Bill authorizes the Governor to use his transfer authority to provide the 10% local matching funds required for the two (2) projects being considered by the State Cemetery Grants Service of the U.S. Department of Veterans Affairs totaling \$412,750 (M&R-\$17,500 and CIP-\$395,250). However, in its present form, the local funding sources are not identified at this time.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: ronyforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Handwritten note:
11/1/2011
35

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

November 1, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Judith P. Guthertz
Acting Committee on Rules

Subject: Referral of Bill Nos. 362-31 (LS) AND 363-31 (LS)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 362-31 (LS) AND 363-31 (LS).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

(1) Attachment

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

November 1, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
363 -31 (LS)	T. C. Ada, J. P. Guthertz, DPA, R. J. Respicio	AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS FOR MATCHING GRANTS AVAILABLE FROM THE VETERANS AFFAIRS STATE CEMETERY GRANTS PROGRAM AND TO APPROVE A CAPITAL IMPROVEMENT PLAN RELATIVE TO THE EXPANSION OF THE GUAM VETERANS CEMETERY	11/1/11 4:22 p.m.	11/1/11		Committee on Utilities, Transportation, Public Works and Veterans Affairs.			



Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

Public Hearing - First Notice: Bill 363-31 (LS)

Nicole Santos <nsantos@senatorada.org>

Thu, Nov 3, 2011 at 11:48 AM

To: phnotice@guamlegislature.org

Hafa adai Senators,

Please see attached public hearing notice from Senator Tom Ada regarding Bill 363-31 (LS). Also, attached is Bill 363-31 (LS) for your reference.

Should you have any questions, please don't hesitate to contact me at 473-3301.

Best,
Nicole

--
Nicole Santos
Senior Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Unu Na Liheslaturan Guåhan - 31st Guam Legislature
[671-473-3301](tel:671-473-3301),

2 attachments

 **Public Hearing - 1st Notc - 11-10-11 - senators.pdf**
174K

 **Bill 363-31 (LS) .pdf**
141K

Listserv: phnotice@guamlegislature.org

As of Nov. 03, 2011

aguon4guam@gmail.com
alerta.jermaine@gmail.com
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wilcastro671@gmail.com
jimespaldon@yahoo.com



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guahan

November 3, 2011

MEMORANDUM

To: All Senators

Subject: **Public Hearing Notice: November 10, 2011**

Please be advised that the Committee on Veterans Affairs, Public Works, Transportation, and Utilities is holding a public hearing on **November 10, 2011**. This meeting will take place in the Public Hearing Room of *I Liheslatura*. The agenda is as follows:

4:00 pm

Bill 363-31 (LS): An act to authorize the use of local funds for matching grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery. **(Sponsor: T. C. Ada, J. P. Guthertz, DPA, R. J. Respicio)**

Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **November 25, 2011, 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.

Senseramente,

Thomas C. Ada



Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

Public Hearing - First Notice: Bill 363-31 (LS)

Nicole Santos <nsantos@senatorada.org>

Thu, Nov 3, 2011 at 11:48 AM

To: Media <media@senatorada.org>

Cc: Jimmy Camacho <jcamacho@senatorada.org>, Coy Torres <coy@senatorada.org>, Nicole Santos <nsantos@senatorada.org>

Hafa adai,

Please see attached Public Hearing Notice for Bill 363-31 (LS). Also, attached for your reference is Bill 363-31 (LS).

Should you have any questions please don't hesitate to contact our office at 473-3301.

Best,
Nicole

--

Nicole Santos
Senior Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Unu Na Liheslaturan Guahan - 31st Guam Legislature
[671-473-3301](tel:671-473-3301)

2 attachments



Public Hearing - 1st Notc - 11-10-11 - media.pdf

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Bill 363-31 (LS) .pdf

141K

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1 - 28

Name	Email address	Role
All users within Domain Add		Owner
bmkelman@guampdn.com	bmkelman@guampdn.com	Member
breaktasthowk57@gmail.com	breaktasthowk57@gmail.com	Member
clynt@spbgiam.com	clynt@spbgiam.com	Member
dmgeorge@guampdn.com	dmgeorge@guampdn.com	Member
diamondong@guampdn.com	diamondong@guampdn.com	Member
editor@mvguam.com	editor@mvguam.com	Member
gdamat-ol@guampdn.com	gdamat-ol@guampdn.com	Member
holips@kuam.com	holips@kuam.com	Member
jac.cherry@gmail.com	jac.cherry@gmail.com	Member
janeta@mvguam.com	janeta@mvguam.com	Member
kevin@spbgiam.com	kevin@spbgiam.com	Member
limatthews@guampdn.com	limatthews@guampdn.com	Member
michele@kuam.com	michele@kuam.com	Member
mindy@kuam.com	mindy@kuam.com	Member

news@guampdn.com	news@guampdn.com	Member
news@spbgiam.com	news@spbgiam.com	Member
news@k57.com	news@k57.com	Member
nick.delgado@kuam.com	nick.delgado@kuam.com	Member
rgibson@k57.com	rgibson@k57.com	Member
sabrina@kuam.com	sabrina@kuam.com	Member
scoop@guamnewswatch.com	scoop@guamnewswatch.com	Member
thebigshow@k57.com	thebigshow@k57.com	Member
thebigshow@spbgiam.com	thebigshow@spbgiam.com	Member
therese.hart.writer@gmail.com	therese.hart.writer@gmail.com	Member
therese@mvguam.com	therese@mvguam.com	Member
tina@marianasmedia.com	tina@marianasmedia.com	Member
zita@mvguam.com	zita@mvguam.com	Member

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1 - 28



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

November 3, 2011

MEMORANDUM

To: All Media

Subject: **Public Hearing Notice: November 10, 2011**

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4:00 pm

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Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **November 25, 2011, 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.

Senseramente,

Thomas C. Ada



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

November 3, 2011

MEMORANDUM

To: All Stakeholders

Subject: **Public Hearing Notice: November 10, 2011**

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Senseramente,

Thomas C. Ada



Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

Public Hearing - Second Notice: Bill 363-31 (LS)

Nicole Santos <nsantos@senatorada.org>

Tue, Nov 8, 2011 at 10:31 AM

To: phnotice@guamlegislature.org

Hafa adai Senators,

Please see attached public hearing notice from Senator Tom Ada regarding Bill 363-31 (LS). Also, attached is Bill 363-31 (LS) for your reference.

Should you have any questions, please don't hesitate to contact me at 473-3301.

Best,
Nicole

--
Nicole Santos
Senior Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Unu Na Liheslaturan Guáhan - 31st Guam Legislature
671-473-3301

2 attachments

 **Public Hearing - 2nd Notc - 11-10-11 - senators.pdf**
169K

 **Bill 363-31 (LS) .pdf**
141K

Listserv: phnotice@guamlegislature.org

As of Nov. 03, 2011

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Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guáhan

November 8, 2011

MEMORANDUM

To: All Senators

Subject: **Public Hearing Notice: November 10, 2011**

Please be advised that the Committee on Veterans Affairs, Public Works, Transportation, and Utilities is holding a public hearing on **November 10, 2011**. This meeting will take place in the Public Hearing Room of *I Liheslatura*. The agenda is as follows:

4:00 pm

Bill 363-31 (LS): An act to authorize the use of local funds for matching grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery. (**Sponsor: T. C. Ada, J. P. Guthertz, DPA, R. J. Respicio**)

Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagátña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **November 25, 2011, 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.

Senseramente,

Thomas C. Ada



Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

Public Hearing - Second Notice: Bill 363-31 (LS)

Nicole Santos <nsantos@senatorada.org>

Tue, Nov 8, 2011 at 10:32 AM

To: Media <media@senatorada.org>

Cc: Jimmy Camacho <jcamacho@senatorada.org>, Cyrus Luhr <cyrus@senatorada.org>, Nicole Santos <nsantos@senatorada.org>, Coy Torres <coy@senatorada.org>, Juliette Gillham <juliette@senatorada.org>

Hafa adai,

Please see attached public hearing notice from Senator Tom Ada regarding Bill 363-31 (LS). Also, attached is Bill 363-31 (LS) for your reference.

Should you have any questions, please don't hesitate to contact me at 473-3301.

Best,
Nicole

Nicole Santos
Senior Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Unu Na Liheslaturan Guåhan - 31st Guam Legislature
[671-473-3301](tel:671-473-3301)

2 attachments

 **Public Hearing - 2nd Notc - 11-10-11 - media.pdf**
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 **Bill 363-31 (LS) .pdf**
141K



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guáhan

November 8, 2011

MEMORANDUM

To: All Media

Subject: **Public Hearing Notice: November 10, 2011**

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4:00 pm

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Thomas C. Ada



Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

Public Hearing - First Notice: Bill 363-31 (LS)

Nicole Santos <nsantos@senatorada.org>

Thu, Nov 3, 2011 at 11:58 AM

To: John Unpingco <john.unpingco@gvao.guam.gov>

Cc: Cindy Gogo <cindy.gogo@gvao.guam.gov>, Tom Devlin <mophtd@ite.net>, artmesas <artmesas@yahoo.com>, Alan VanAken <AGunner77@teleguam.net>, Bill Cundiff <afcmsgt24@yahoo.com>, Dan Mendiola <dmendiola@teleguam.net>, Frank Arriola <franklin.arriola@guam.gov>, Benita Manglona <benita.manglona@doa.guam.gov>, John Rios <john.rios@bbmr.guam.gov>, Bill Taitingfong <bill.taitingfong@bbmr.guam.gov>, Jimmy Camacho <jcamacho@senatorada.org>, Nicole Santos <nsantos@senatorada.org>

Hafa adai,

Please see attached public hearing notice for Bill 363-31 (LS). Also, attached for your reference is Bill 363-31 (LS).

Feel free to forward to those you feel may be interested. Should you have any questions please don't hesitate to contact our office at 473-3301.

[Quoted text hidden]

2 attachments

 **Public Hearing - 1st Notc - 11-10-11 - stakeholders.pdf**
174K

 **Bill 363-31 (LS) .pdf**
141K



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

November 8, 2011

MEMORANDUM

To: All Stakeholders

Subject: **Public Hearing Notice: November 10, 2011**

Please be advised that the Committee on Veterans Affairs, Public Works, Transportation, and Utilities is holding a public hearing on **November 10, 2011**. This meeting will take place in the Public Hearing Room of *I Liheslatura*. The agenda is as follows:

4:00 pm

Bill 363-31 (LS): An act to authorize the use of local funds for matching grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery. (**Sponsor: T. C. Ada, J. P. Guthertz, DPA, R. J. Respicio**)

Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **November 25, 2011, 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.

Senseramente,

Thomas C. Ada



Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs
31st Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

AGENDA **PUBLIC HEARING**

Thursday, November 10, 2011, 4:00 pm
Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

Bill No. 363-31 (LS) – T. C. Ada, J. P. Guthertz, DPA, R. J. Respicio

An act to authorize the use of local funds for matching grants available from the Veterans Affairs State Cemetery Grants Program and to approve a Capital Improvement Plan relative to the expansion of the Guam Veterans Cemetery.

Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until November 25, 2011, 5:00 pm. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session**

2011 NOV - 1 PM 14:22
MMW

Bill No. 363-31 (LS)

Introduced by:

T. C. Ada
J. P. Guthertz, DPA
R. J. Respicio

**AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS
FOR MATCHING GRANTS AVAILABLE FROM THE
VETERANS AFFAIRS STATE CEMETERY GRANTS
PROGRAM AND TO APPROVE A CAPITAL
IMPROVEMENT PLAN RELATIVE TO THE
EXPANSION OF THE GUAM VETERANS CEMETERY.**

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

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan*
3 finds that the Guam Veterans Cemetery began operations in 1953, consisting
4 of 18-acres of land in Piti, Guam. To date, 13-acres have been developed for
5 cemetery use. Total gravesites today numbers about 3,600.

6 *I Liheslaturan Guåhan* further finds that over a period of nearly six
7 decades, many of the in-ground gravesites have settled below grade and are
8 often below water during periods of heavy rain. Consequently, grave
9 markers need to be raised and realigned. Significant seismic activity has
10 also resulted in the structural compromise of the aboveground crypts,
11 resulting in the settling of the crypts. Approximately 300 niches are

1 obviously compromised as well as another 370 niches that will need to be
2 evaluated to determine their structural soundness. An engineering
3 evaluation of the crypts will need to be performed to determine if
4 maintenance and repairs (M&R) is an option, or if the compromised
5 structures must be demolished and rebuilt.

6 *I Liheslaturan Guåhan* further finds that as of October 2011, the
7 Cemetery has 25 in-ground burial sites remaining; in-ground burials is an
8 option close to being exhausted. In-ground burial sites are currently
9 reserved primarily for over-sized caskets. There are however, small areas
10 that could be developed to add more burial sites. Burial rate is
11 approximately 135 per year. There are 1,222 crypts available, not including
12 the 496 that have been reserved for double burials. Expansion of burial
13 capacity at the cemetery must be initiated and implemented.

14 *I Liheslaturan Guåhan* finds that the GOVA is eligible to be
15 considered by the State Cemetery Grants Service of the U.S. Department of
16 Veterans Affairs for a grant of up to One Hundred Seventy Five Thousand
17 Dollars (\$175,000) for maintenance and repairs (M&R) at the Guam
18 Veterans Cemetery, and for a grant of up to Three Million Nine Hundred
19 Fifty Two Thousand and Five Hundred Dollars (\$3,952,500). The
20 Government of Guam must, however, *provide* ten percent (10%), of federal
21 grants available, in local funds for startup matching for the M&R and the
22 Capital Improvement Plan (CIP). The purpose of the matching funds is to
23 support the project development prior to the grant award.

24 It is, therefore, the intent of *I Liheslaturan Guåhan* to support the
25 Guam Office of Veterans Affairs in its effort to obtain grants for which they
26 are qualified and to provide, when able to, the financial resources to be
27 eligible for grant award consideration by the State Cemetery Grants Service.

1 **Section 2. Authorization To Use Local Funds as Matching Funds.**

2 In the event that GOVA's application for the CIP and M&R grants are
3 favorably considered, the Governor is hereby authorized to use his transfer
4 authority to provide a ten percent (10%) local matching funds for each of
5 two (2) projects for expansion of burial capacity and maintenance & repair
6 of the Guam Veterans Cemetery. Limitations to the Governor's transfer
7 authority shall not be applicable to this transfer.

8 **Section 3. Conceptual Capital Improvement Plan Approved.**

9 The conceptual plan for the capital improvement of the Cemetery
10 is approved as follows:

- 11 1. The expansion of the Guam Veterans Cemetery shall
12 remain at the existing location in Piti.
- 13 2. Additional Burial Capacity shall be attained through the
14 construction of above-ground crypts and a columbaria.
 - 15 a. Up to One thousand (1,000) additional crypts are
16 to be constructed on the remaining five (5) acres of
17 undeveloped cemetery land, and
 - 18 b. Up to One thousand (1,000) columbarium niches
19 are to be built. The columbarium niches are
20 intended to hold the urns of cremated veterans or
21 dependents.
- 22 3. If expansion of the Cemetery requires additional ground
23 space for the construction of aboveground crypts, the
24 possibility of disinterment is to be explored.
- 25 4. The existing perimeter fence of the Cemetery is to be
26 replaced with a concrete perimeter fence and appropriate
27 security gate(s).

1 5. Appropriate memorials are to be considered for
2 construction, memorializing WW II, Korean War, the
3 Vietnam War, and the Gulf Wars.

4 6. This plan may be further modified as the environmental
5 and other studies are conducted for the proposed grant.

6 **Section 4. Effective Date.** This Act shall be effective upon date of
7 enactment.

8 **Section 5. Severability.** *If* any provision of this Law or its
9 application to any person or circumstance is found to be invalid or contrary
10 to law, such invalidity *shall* not affect other provisions or applications of this
11 Law which can be given effect without the invalid provisions or application,
12 and to this end the provisions of this Law are severable.