



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
LEFINAN I MANGA LAHI
AGANA, GUAM 96910 U.S.A.

JAN 25 1992

The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hesler Street
Agana, Guam 96910

**REFER TO
LEGISLATIVE ASSEMBLY**

A handwritten signature in black ink, appearing to read "Joe", is written over the stamp.

Dear Mr. Speaker:

Transmitted herewith is Bill No. 657, which I have signed into
law this date as Public Law No. 21-79.

Sincerely,

A large, stylized handwritten signature in black ink, reading "Joseph F. Ada", is written over the typed name.

JOSEPH F. ADA
Governor

Attachment

210607



TWENTY-FIRST GUAM LEGISLATURE
1992 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 657 (COR), "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW PUBLIC CEMETERY IN THE MUNICIPALITY OF INARAJAN," was on the 10th day of January, 1992, duly and regularly passed.



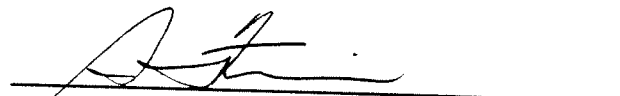
JOE T. SAN AGUSTIN
Speaker

Attested:



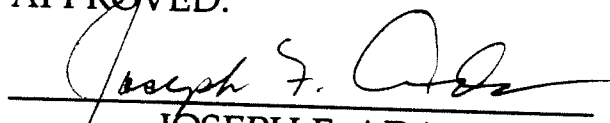
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 15th day of January, 1992,
at 5:05 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: JAN 25 1992

Public Law No. 21-79

TWENTY FIRST GUAM LEGISLATURE
1992 (SECOND) Regular Session

Bill No. 657 (COR)

Introduced by:

F. R. Santos
J. T. San Agustin
J. P. Aguon
H. D. Dierking
D. L. G. Shimizu
J. G. Bamba
M. D. A. Manibusan
E. P. Arriola
A. C. Blaz
M. Z. Bordallo
D. F. Brooks
E. R. Dueñas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
G. Mailloux
D. Parkinson
M. J. Reidy
M. C. Ruth
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO PROVIDE FOR THE ESTABLISHMENT
OF A NEW PUBLIC CEMETERY IN THE
MUNICIPALITY OF INARAJAN.

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

2 **Section 1. Legislative findings.** Because of the proximity of the
3 Inarajan Cemetery to the coastline of southern Guam, more particularly
4 **Agfayan Bay**, whenever there is a typhoon, there is the likelihood of the

1 Cemetery becoming inundated by the ocean's wave action and storm surge.
2 Thus, in the last two typhoons which caused considerable damage to southern
3 Guam, Typhoon Russ, in December, 1990, and Supertyphoon Yuri, in
4 November, 1991, such wave action and storm surge inundated the Inarajan
5 Cemetery, seriously disturbing its graves with their contents being strewn
6 over a large area. The Legislature finds that there are potential health
7 problems with the current location of Inarajan Cemetery and that the
8 situation should be examined in more detail. The Legislature, is, however,
9 cognizant of the historical and cultural value of the existing Cemetery to the
10 people of Inarajan, and finds that unless there exists a clear and present
11 danger to public health, there is no overriding reason to call for its complete
12 closure. The Committee on Housing, Community Development, Federal and
13 Foreign Affairs has been informed that future burials at the Cemetery will
14 take place on grounds higher than those from which bodies were excavated
15 by Supertyphoon Yuri and that the people of Inarajan are requesting that the
16 Cemetery not be closed unless there is irrefutable evidence that it is a source
17 of serious public health hazards. Because it has not been proven that there is
18 such a clear and present public health danger, the Committee is of the
19 consensus that burials in the existing St. Joseph's Cemetery can continue.

20 **Section 2. Authorization of new cemetery.** The Director of Land
21 Management, the Director of Public Works, the Administrator of the Guam
22 Environmental Protection Agency, the Director of Public Health and Social
23 Services, and the Director of the Parks and Recreation, in cooperation and
24 coordination with the Mayor of Inarajan, the Municipal Planning Council of
25 Inarajan, and the Pastors and Parish Councils of Inarajan and Malojloj, shall
26 cause to be surveyed and parcelled that portion of government of Guam

1 property designated as Lot 8-3R, Ija, Municipality of Inarajan, said to contain
2 approximately sixteen (16) acres, approved by the people of Inarajan at a
3 public hearing held on January 3, 1992, in the village of Inarajan, for use as a
4 new public cemetery for the Municipality of Inarajan.

5 **Section 3. Appropriations authorized.** There are hereby authorized to
6 be appropriated from the General Fund such funds as are necessary to
7 accomplish the intent of this Act. The Director of the Land Management and
8 the Director of Public Works shall prepare a proposed budget for the work
9 necessary to accomplish such intent and shall submit said proposal to the
10 Legislature for its consideration.

11 **Section 4. Other coastline cemeteries.** The Director of Land
12 Management shall further identify government properties for expansion of
13 all public coastline cemeteries.

**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL AND FOREIGN AFFAIRS
TWENTY-FIRST GUAM LEGISLATURE**

163 Chalan Santo Papa
Agaña, Guam 96910

Senator Francisco R. Santos
Chairman

Tel: (671) 472-3414/3415
Fax: (671) 477-3048

January 8, 1992

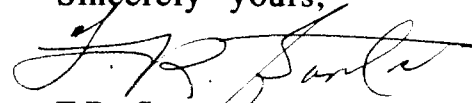
The Honorable Joe T. San Agustin
Speaker, Twenty First Guam Legislature
Agana, Guam

Dear Mr. Speaker,

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bill No. 657, An Act to provide for the establishment of a public cemetery in Inarajan, has had the same under consideration and herewith submits its report and recommendation is **TO DO PASS**, as amended, **Bill No. 657**. The Committee votes are as follows:

To Do Pass	- 10 -
To Do Not Pass	- 0 -
To Report Out Only	- 0 -
To Pass On File	- 0 -
Not Voting	- 0 -
Off Island	- 0 -

Sincerely yours,



F.R. Santos

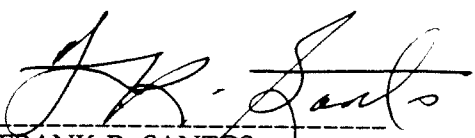
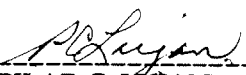
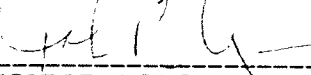
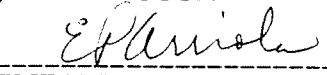
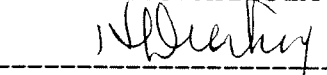
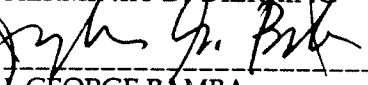
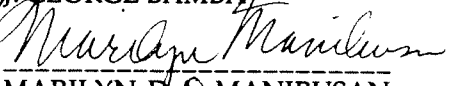

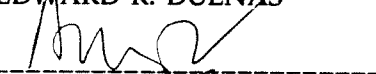

**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL, AND FOREIGN AFFAIRS
TWENTY FIRST GUAM LEGISLATURE
155 Hesler Street
Agaña, Guam 96910**

Senator Francisco R. Santos
Chairman

Tel: (671) 472-3414/3415
Fax: (671) 477-3048

Voting Sheet

Bill 657, as amended by the Committee on Housing, Community Development, Federal and Foreign Affairs: An Act to provide for the establishment of a new public cemetery in Inarajan.

	TO DO PASS	TO DO NOT PASS	TO REPORT OUT ONLY	NOT VOTING/ OFF ISLAND
 FRANK R. SANTOS	✓	-----	-----	-----
 PILAR C. LUJAN	✓	-----	-----	-----
 JOHN P. AGUON	✓	-----	-----	-----
 ELIZABETH P. ARRIOLA	✓	-----	-----	-----
 HERMINIA D. DIERKING	✓	-----	-----	-----
 GEORGE BAMBA	✓	-----	-----	-----
 MARILYN D.A. MANIBUSAN	✓	-----	-----	-----
 EDWARD R. DUENAS	✓	-----	-----	-----
 ANTHONY C. BLAZ	✓	-----	-----	-----
 JOE T. SAN AGUSTIN	✓	-----	-----	-----

Committee Report

on

Bill No. 657

*An Act to provide for the
establishment of a new public
cemetery in the Municipality of
Inarajan*

TWENTY FIRST GUAM LEGISLATURE
Committee on Housing, Community Development,
Federal and Foreign Affairs

Senator Francisco R. Santos
Chairman

January 6, 1992

Public Hearing

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bill No. 657, conducted a public hearing on said measure on January 3, 1992, at 7:00 PM in the Inarjan Social Hall, Inarajan, Guam.

As required by the Legislature's Standing Rules, public announcements were made in the Pacific Daily News. In addition to such requirements, with the assistance of the Mayor of Inarajan, public hearing notices were distributed in the villages of Inarajan and Malojlog, the areas most affected by the proposed legislation.

Letters of invitation to the public hearing were transmitted to the following:

- The Director of Public Works
- The Director of Public Health and Social Services
- The Director of Land Management
- The Director of Parks and Recreation
- The Administrator of Environmental Protection

In attendance at the public hearing were the following Committee members:

- Senator Francisco R. Santos, Chairman
- Senator John P. Aguon
- Senator Herminia D. Dierking

Senator J. George Bamba
Senator Marilyn.D.A. Manibusan
Senator David.L.G. Shimizu
Speaker Joe T. San Agustin

Witnesses appearing to submit testimony before the
Committee were:

The Honorable John Cruz, Mayor of Inarajan
The Honorable Antonio C. Babauta, Mayor of Agat
Mr. Frank L.G. Castro, Dir. of Land Management
Mr. Fred Castro, Administrator, GEPA
Mr. Tony Mariano, Dir. of Parks and Recreation
Rev. Father Ray Techaira, Pastor of Inarajan
Mr. Franklin Taitague, President, St. Joseph Parish Council
Mr. Bill Paulino, Pres., Inarajan Municipal Planning Council
Mr. Joaquin Diego, concerned citizen
Mr. Ben Meno, concerned citizen
Mr. Jesse Perez, President, Malojlog Parish Council
Mr. Ed. Crisostomo, concerned citizen

Approximately 60 residents were in attendance at the
public hearing which included participation by all in attendance
as the Chairman of the Committee called for acclamation on the
purposes and intent of the bill, as well as, the site location and
choice among the three sites preliminarily designated.␣

SUMMARY OF TESTIMONY

All witnesses testifying before the Committee testified as to the need for a public cemetery in the southern area of the island. It was noted by Mr. Bill Paulino, President of the Inarajan Municipal Planning Council, that the increase in population in Inarajan and Malojloj, caused by the building of the Malojloj and Inarajan subdivisions and land for the landless projects, dictates that there needs to be a public cemetery. Mr. Paulino noted that Inarajan is no longer strictly Catholic, that there are people of other religions living in the area and provisions should be made for these people to be buried in a public cemetery as they can not be buried in the St. Joseph's Catholic Cemetery. This sentiment was echoed by the Mayors of Inarajan and Agat.

All department heads involved with the development of any public cemetery testified in support of the measure and pledged the support of their departments for whatever has to be done to accomplish the intent of the legislation. Mr. Frank Castro of Land Management noted that the funding in the legislation should be directed to Public Works for engineering and design of the cemetery itself, as well as, other needed infrastructure. Mr. Castro noted that he would be able to accomplish Land Management's functions with inhouse personnel and funding sources.

The Director of Parks and Recreation requested that his department be included in the formation of any committee to work on this project as Parks and Recreation will ultimately be responsible for the maintenance and operation of the cemetery.

The most telling testimony came from the residents of Inarajan who requested that the public cemetery be built but that the existing Catholic Cemetery not be closed because of its historic, cultural and religious value to the people. The parish priest and the president of the parish council noted that there exists 8000 square meters of unused cemetery land which is situated on higher ground than the ground from which bodies were excavated by the typhoons. New burials in the cemetery will be on this higher ground. Likewise, suggestions and a request was made for the building of a seawall and elevated road in order to provide protection for the cemetery.

The Chairman noted that the Committee was not in a position to consider legislation that would require a large sum of money.

The parish priest and president of the parish council also noted that if it was necessary to close the existing cemetery because of potential health hazards, they are requesting that the government exchange the unused lands in the existing cemetery with land contiguous or part of the new public cemetery that can be designated as a Catholic cemetery in order to provide for those Catholic residents of Inarajan who insist on burial in a Catholic cemetery. The Chairman noted that this will be considered but at the present time, the most pressing problem is to begin the work on the new cemetery. At a later point in time, if the need arose, a request can be submitted for consideration of a land exchange..

COMMITTEE FINDINGS

- The Committee finds that there is a need for a new public cemetery in the southern area of Guam to provide for the increasing population of the area. At the present time there is no public cemetery in the area and burials of non-Catholic deceased residents must be conducted at the Tiguag Cemetery in Nimitz Hill or in the private cemeteries in Windward Hills or Barrigada. This increases traffic problems along those routes and compounds the problem of congestion on the roads, as well as, the cemeteries.

- The Committee finds that unless there is a clear and present health hazard, the need to close the existing St. Joseph Cemetery may not be as pressing as first assumed immediately after Supertyphoon Yuri when the bodies and remains were visible.

- The Committee finds that the excavations caused by Typhoon Russ and Supertyphoon Yuri were the first since Typhoon Alyn in 1949 and therefore feels that more consideration on the closure of the existing cemetery is required by Public Health and Social Services, which is empowered to close the cemetery for public health reasons without mandate.

COMMITTEE RECOMMENDATIONS

The Committee recommends passage of Bill No. 657, as amended by the Committee to provide for the following:

- Language in the bill mandated the closure of the existing cemetery be deleted.
- The Department of Parks and Recreation be included as a member of the committee to develop plans for the new public cemetery.

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Bill No. 657

As Amended by the Committee on Housing,
Community Development, Federal and Foreign Affairs

Introduced by:

F.R. Santos
J.T. San Agustin
J.P. Aguon

H.D. Dierking
D.L.G. Shimizu
J.G. Bamba
M.D.A. Manibusan

AN ACT TO PROVIDE FOR THE
ESTABLISHMENT OF A NEW PUBLIC
CEMETERY IN THE MUNICIPALITY OF
INARAJAN

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:

3
4 SECTION 1. LEGISLATIVE FINDINGS: Because of the
5 proximity of the Inarajan Cemetery to Route 4 and the coastline of
6 southern Guam, more particularly Agfayan Bay, whenever there is a
7 typhoon, there is the danger of the cemetery becoming inundated by the
8 ocean's wave action and storm surge. In the last two typhoons which have
9 caused considerable damage to southern Guam, Typhoon Russ, in
10 December, 1990, and Supertyphoon Yuri, on November 27, 1991, wave

1 action and the storm surge caused the Inarajan cemetery to be inundated
2 and graves were disrupted with the remains becoming strewn over several
3 hundred yards. The Legislature finds that there may be potential health
4 problems with the existing Inarajan Cemetery and desires that the
5 situation be more thoroughly studied. The Legislature, is, however,
6 cognizant of the historical and cultural attachment and value of the
7 existing cemetery to the people of Inarajan and unless there exists a clear
8 and present danger to public health that there is no overriding and
9 pressing reason to call for the complete closure of the existing cemetery.
10 The Committee on Housing, Community Development, Federal and
11 Foreign Affairs were informed that burials at the existing cemetery will be
12 on grounds higher than those from which bodies were excavated by
13 Supertyphoon Yuri but that the people of Inarajan are requesting that the
14 closure of the existing cemetery not be mandated unless there is irrefutable
15 evidence that it is a source of clear potential public health hazards.
16 Because it has not been proven that there is a clear and present public
17 health danger, the Committee is of the consensus that burials in the
18 existing St. Joseph's Cemetery can continue.

19 **SECTION 2. AUTHORIZATION:** The Director of Land
20 Management, the Director of the Department of Public Works, the
21 Administrator of the Guam Environmental Protection Agency and the
22 Director of the Department of Public Health and Social Services, and the
23 Director of the Department of Parks and Recreation, in cooperation and
24 coordination with the Mayor of Inarajan, the Municipal Planning Council
25 of Inarajan and the Pastor and Parish Council of Inarajan, shall cause to
26 be surveyed and parcelled that portion of government of Guam property
27 designated as Lot 8-3R, Ija, Municipality of Inarajan, said to contain

1 approximately sixteen (16) acres and selected by the people of Inarajan at
2 a public hearing on January 3, 1992, in the village of Inarajan, to be
3 developed and used as a new public cemetery for the Municipality of
4 Inarajan.

5 **SECTION 3. APPROPRIATIONS AUTHORIZED:** There is hereby
6 authorized to be appropriated, from the General Fund, such funds as are
7 necessary to accomplish the intent hereof. The Director of the Department
8 of Land Management and the Director of the Department of Public Works
9 shall prepare a proposed budget for the work necessary to accomplish the
10 intent hereof and shall submit said proposal to the Guam Legislature for
11 their consideration.

12

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Bill No. 657

Introduced by:

F.R. Santos

AN ACT TO PROVIDE FOR THE
ESTABLISHMENT OF A NEW PUBLIC
CEMETERY IN THE MUNICIPALITY OF
INARAJAN

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:

3
4 SECTION 1. LEGISLATIVE FINDINGS: Because of the
5 proximity of the Inarajan Cemetery to Route 4 and the coastline of
6 southern Guam, more particularly Agfayan Bay, whenever there is a
7 typhoon, there is the danger of the cemetery becoming inundated by the
8 ocean's wave action and storm surge. In the last two typhoons which have
9 caused considerable damage to southern Guam, Typhoon Russ, in
10 December, 1990, and Supertyphoon Yuri, on November 27, 1991, wave
11 action and the storm surge caused the Inarajan cemetery to be inundated
12 and graves were disrupted with the remains becoming strewn over several
13 hundred yards. The Legislature finds this to be a most undesirable
14 situation with inherent and obvious public health problems and which
15 creates emotional and stress related problems for the residents of Inarajan
16 who have loved ones buried in that cemetery and who are already
17 suffering from the devastation of the storm. In this vein, it is the finding of
18 the Guam Legislature that it is desirable and necessary to move the
19 Inarajan cemetery to an area which would not be exposed to wave and
20 storm surge damage and which will provide an adequate public burial
21 ground for the deceased residents of the village.

1 **SECTION 2. AUTHORIZATION:** The Director of Land
2 Management, the Director of the Department of Public Works, the
3 Administrator of the Guam Environmental Protection Agency and the
4 Director of the Department of Public Health and Social Services, in
5 cooperation and coordination with the Mayor of Inarajan, the Municipal
6 Planning Council of Inarajan and the Pastor and Parish Council of
7 Inarajan, shall cause to be surveyed and parcelled a portion of that
8 government of Guam property designated as Lot 8-3R, Ija, Municipality of
9 Inarajan, to be used as a new public cemetery for the Municipality of
10 Inarajan. The Director of the Department of Land Management, the
11 Director of the Department of Public Works, the Administrator of the
12 Guam Environmental Protection Agency and the Director of the
13 Department of Public Health and Social Services, in cooperation and in
14 coordination with the Mayor of Inarajan, the Municipal Planning Council
15 of Inarajan and the Pastor and Parish Council of Inarajan, shall prepare
16 plans and specifications for the closure of the existing Inarajan cemetery
17 upon completion of the new public cemetery. Such plans shall address the
18 desirability and feasibility of moving existing graves and grave sites from
19 the present cemetery to the new cemetery.

20 **SECTION 3. APPROPRIATIONS AUTHORIZED:** There is hereby
21 authorized to be appropriated, from the General Fund, such funds as are
22 necessary to accomplish the intent hereof. The Director of the Department
23 of Land Management and the Director of the Department of Public Works
24 shall prepare a proposed budget for the work necessary to accomplish the
25 intent hereof and shall submit said proposal to the Guam Legislature for
26 their consideration.

TESTIMONY ON BILL 657

AN ACT TO PROVIDE FOR THE ESTABLISHMENT
OF A NEW PUBLIC CEMETERY
IN THE MUNICIPALITY OF INARAJAN

BY
JOAQUIN L.G. DIEGO

JANUARY 3, 1992

JOAQUIN L.G. DIEGO
P.O. Box 903
Agana, Guam 96910

HONORABLE SENATOR FRANCISCO R. SANTOS
CHAIRMAN, COMMITTEE ON FEDERAL, FOREIGN & LEGAL AFFAIRS
TWENTY-FIRST GUAM LEGISLATURE
AGANA, GUAM 96910

MR. CHAIRMAN AND MEMBERS OF THIS MEMBERS:

Thank you Mr. Chairman and members of this Committee for taking the time to be with us tonight and for being concern with our problems relating to the damages caused by Super-Typhoon Yuri on November 27, 1991, to the INARAJAN CATHOLIC CEMETERY.

BILL 657 is not the answer to our problems. It disturbs me to learn that the intent of this BILL, among other things, is to close the existing cemetery. Mr. Chairman, I helped my parents in the interments of both their parents in this cemetery. On July 9, 1987, we laid the body of our mother in her grave in this cemetery. My father has indicated to all of us, his children, that his body shall be interred in the same grave with his wife when the good lord calls for him. The tomb where we interred our mother is constructed to receive both our parents. It is my plan and my wish, when the good lord calls me, that I shall be interred in the same cemetery as my grand-parents and my parents, my nieces, my nephews, my cousins, my uncles and my aunts.

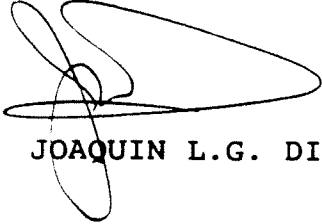
I hope Mr. Chairman, that you are here tonight with your colleagues to discuss this problem. I am not against the establishment of a public cemetery in Inarajan...after all some of the residents of Inarajan are not Catholic...they need a place to be interred or buried when the good lord calls on them.

I am recommending that the road between the Inarajan Swimming Pool and Agfayan be raised to a level necessary to protect the cemetery and that a sea-wall be constructed on the ocean side of such road. Such sea-wall shall be constructed to withstand the punishments of the ocean the equivalent of Super-Typhoon Yuri. This is the ideal solution I am hoping we will reach tonight. This idea has been discussed among the people of Inarajan for sometime now as a permanent solution for both the road and the cemetery.

I am also recommending that FATHER RAY and the PARISH COUNCIL OF INARAJAN shall be allowed to continue maintaining the existing

INARAJAN CATHOLIC CEMETERY.

THANK YOU VERY MUCH FOR ALLOWING ME TO SUBMIT MY TESTIMONY.

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal stroke, positioned above the printed name.

JOAQUIN L.G. DIEGO

TESTIMONIAL ON BILL 657

Good evening Mr. Chairman, Sponsors of Bill 657 and Senators of the 21st Guam Legislature. My name is, Franklin Meno Taitague, a resident of this beautiful, cultural, and historical village of Inarajan. I am the present Chairman of the St. Joseph Parish Council and the testimony I have before you tonight is also in behalf of its members.

Before I proceed, please allow me to welcome you and your colleagues present here tonight, Dungkulo Na Si Yuus Maase for opening up your hearts and minds to listen to our testimonies, and lastly God bless you for introducing another noble bill such as Bill 657, whereas our present and future parishioners and village residents can greatly benefit from.

Mr. Chairman, the St. Joseph Parish Council have had the opportunity to review Bill 657. The following are our comments:

We are in support of Bill 657 for the purpose of establishing a public cemetery within the municipality of Inarajan. We strongly agree that a public cemetery is indeed needed and necessary, not just for the reasons as stated in the bill but more so to satisfy future population and perhaps new residents of this municipality. We only ask, Mr. Chairman, that before this bill becomes a Law, that you and your colleagues greatly consider the position statements, opinions, personal concerns, and recommendations presented to you tonight, specifically by our village residents. ^{PH} The idea of a safe and new public cemetery may be a viable solution for some of us who

wants to be buried in this new public cemetery in the future and for people who wish to relocate their loved ones from the existing cemetery, nevertheless, I'm certain that others, like myself, and because of spiritual and moral reasons have differing opinions of being buried in a public cemetery. Personally speaking, I was born a catholic, I'll die a Catholic, and I want to be buried in a Catholic Cemetery not a public cemetery.

Mr. Chairman, this bill is introduced to provide for the establishment of a New Public Cemetery in the Municipality of Inarajan. I apologize if we are interpreting this wrong, but there is no existing or was there ever an Old Public Cemetery here in Inarajan. The only existing cemetery, is the St. Joseph (Catholic) Cemetery owned by the catholic faithful and parishioners of San Jose, Inarajan and San Isidro, Malojloj. This cemetery, Mr. Chairman, dates back many many years, and frankly have gone through perhaps tougher storms. What's amazing here, Mr. Chairman, is that the parishioners of these two faithful communities are quite aware of the defenseless state of our present cemetery towards typhoons and they surely know that they have the options to bury their loved ones in any other cemeteries available on this island, nevertheless because of unknown reasons only they can explain, still finds that the Inarajan Cemetery is their final resting place. Just today I asked my mother her opinion about relocating my grandmother and grandfather to the new public cemetery once it's established...her response was "No, if at all possible to leave them where they are and because they are in a Catholic Cemetery." This is a simple sentiment, Mr. Chairman, but it means a lot. This also implies that the St.

Joseph Catholic Cemetery, although vulnerable to Typhoons have a lot of spiritual, sentimental, and perhaps prestigious value. Mr. Chairman, we ask that any plans for the closure of the existing cemetery not be considered and perhaps allow us(the parishioners) to discuss with you other options and/or alternatives. One option if you will, Mr. Chairman, the present St. Joseph Cemetery has two existing sections. One section is identified as the Old Cemetery, the other section is known as the New Cemetery. ~~We~~ ^{we} wish to recommend if at all possible to exchange the unused portion/property of the New Cemetery for a government land. I'm certain our parishioners will appreciate this, ^{if will} ~~as~~ for still be a Catholic Cemetery. ~~and to be~~

~~_____~~

Mr. Chairman, I promise to be brief, so in closing, once again please consider all the points presented here tonight and on behalf of the St. Joseph Parish Council thank for affording us this opportunity to speak before your committee.


Franklin M. Taitague

January 3, 1992

Good Evening,

My name is Father Ray Meno Techaira. I am the Pastor of San Jose Church of this village of Inarajan. I am here to support the passage of Bill No. 657 to provide for the establishment of a Public Cemetary in the Municipality of Inarajan.

Although the Bill, No. 657, call for a New Public Cemetary, I would like to take this time to express that there was never a Public Cemetary in the village of Inarajan. The present Cemetary is that of San Jose Inarajan and it is a Catholic Cemetary. There was also a non-Catholic Cemetary at one time in the area of Chegamen Lago.

The burial site, cemetary, of our Faithful Departed is one of the utmost importance in the lives of those that are living. It is the final resting place of a departed love one. Memories seems to overcome the minds of the living when they return to the burial grounds of loves ones on All Souls Day, November 2, or when just visiting for a spell in the loneliness of our daily existence on this earth.

As we looked at the history of the Chamorros, we notice that they have lived near the waters. This is confirmed by the discoveries that are being done of burial sites around the island of Guam. The question: Why near the waters? Our answers would only be speculations since we are just now trying to grasp the true values of our heritage, history, traditions, and culture. But to me with a Chamorro heritage, I say water is the great source to the exsistance of the Chamorro people both in this life and the next. The symbolic of water is the "Spring of Salvation".

As we all know that Typhoon Russ in 1990 and Supertyphoon Yuri in 1991 are the reinactment of the Typhoon of 1949 which have caused an emotional and structual damages to the present cemetary. The devastation of these storms have complecated some of the projects being carried out by the St. Joseph Cemetary Committee and the St. Joseph Parish Council. Yet, the Power of God could never be match with the skills and knowledge of mankind. All that we could do is to pull together and rebuilt what God have done for the good of the living and dead. With sound and solid intentions of the People of God, the Parish Cemetary would continue to serve its purpose.

Keeping in mind, that Inarajan was where the richness of the Catholic Faith was rooted, we want to preserved this identity for all time. The sentiments of the people would speak for it self. We want to maintain the present Catholic Cemetary and have the propose Public Cemetary as an alternative burial site for those wishing to have a peace of mind during typhoons. We have had many of our ancestors buried at the present cemetary and have great values and sentimentals in our hearts and beings that are priceless in equality to the material things in this world. Many of our love ones have made the earth in oneness with our Creator as ^{they} we return to dust. We too, the living, would love to take our place ^{of} rest beside our love ones some day in this present cemetary.

Let us not create an undesirable situations with a closure of the existing cemetery but work together on preventive measures to ensure no public health problems to the Public Community. Let us ease the emotional and stress factors of our People who valued and respected our Faithful Departed in their burial sites. Let us look objectively of what solutions we could do without pressuring individuals to do what we want.

Maybe some of our solutions should be: A seawall on the ocean side of the road from the swimming pool to Bear Rock. A reinforced road of a higher elevation from its present height. A retaining wall on the other side of the road from the swimming pool to Bear Rock. What ever we do, we must keep in mind the Power of God.

Again, I would like to say that I support the proposed Public Cemetery and that it is an alternative to the Catholic Cemetery.



Father Ray Meno Techaira
Pastor of San Jose Church
Inarajan, Guam

January 3, 1992

I am Bill (William) M. Paulino, resident of Inarajan and has lived here all my life. I am here to testify on Bill 657 on my on behalf.

First of all, I would like to thank the Honorable Frank R. Santos who authored Bill 657. I strongly believe that this Bill will not only serve today's need for a burial ground for the residents of Inarajan, but the generations to come.

Bill 657 has deeply moved me for several reasons: first, the government's immediate response to a dire need as evidenced in the coordinated efforts between the government officials and the people of this community prior to this public hearing; secondly, the impetus to provide such urgent need for the residents of Inarajan to prevent communicable health problems and the emotional stress that are so straining to the people here as a community.

There is a definite need for a public cemetery to be established here in Inarajan due to several major events occurring now and in the future. First, many of us are cognizant of the magnitude of the Ija Subdivision to our population here. This subdivision is going to surpass the existing population within the village proper of Inarajan just like what is happening to the population of Majojlo. The needs which would emanate out of this rapid infusement to this community would have a straining multiplier effect in our infrastructures and so as our existing burial ground.

The Municipality of Inarajan has only one existing burial ground. I believe it is not a public cemetery, but for a burial ground only for catholic parishioners of St. Joseph and San Isidro Churches. I am not very sure that the protestant burial ground still exist across the bay of Inarajan Village.

Secondly, we can safely assume that the people that are going to be living in this subdivision are not going to be of the same race, same culture, and the same religious background. Mere observation would tell us that when a person is of not the same religious background, he would think uncomfortably of being buried when he dies in a site designated as such.

Thirdly, the government housing located near the Inarajan High School is housing people who are not necessarily residents of Inarajan or of the same religious background as that of the majority of the people of Inarajan. These people would be very uncomfortable to be buried at a site marked for catholic parishioners.

And fourth, the move for future development is unavoidable. This

would mean added strain to everything within the community.

Along these points, I would like to recommend the following as perhaps options for the Government of Guam to ponder or cogitate because such move to establish a public cemetery and possible closure of the St. Joseph Church Cemetery may mean that the government lacks the sensitivity of the sentiments of the people whose loves ones buried at St. Joseph Church Cemetery.

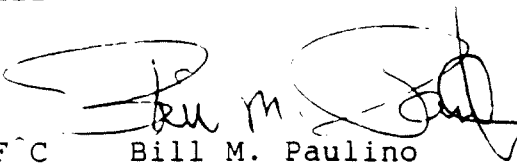
I would like to recommend the following:

a. since the Guam Legislature finds that it is "desirable and necessary to move the Inarajan cemetery (meaning the St. Joseph Catholic Cemetery) to an area which would not be exposed to wave and storm surge damage and which will provide an adequate public burial ground for the deceased residents of the village" that St. Joseph Church will be given a property for this specific need. This is necessary in order that the residents of Inarajan whose love ones who were buried there would maintain the sense of identity of being buried with only catholics. The sentiment of being a catholic and dying as a catholic means also being buried with fellow catholics. A good example of this sentiment were people whose loves ones buried in the front lines of the Inarajan St. Joseph Catholic Cemetery were offered to re-bury the remains of their love ones at the inner site of the St. Joseph Cemetery, and yet the response was they were buried there then they shall remain and let God decide the outcome. Perhaps, a question here is congruent, "how is the government going to handle people's feelings or an unhappy community?".

b. if the Government of Guam is not able to provide St. Joseph Church a property as mentioned above, then provide the church the option to continue to bury its dead at its cemetery. St. Joseph Church should vigorously fund raise to protect its existing burial ground. I recommend along this line that Government of Guam will coordinate its efforts to build a retaining wall or waterbreaker along the road not only to protect the existing cemetery, but to insure passage for people living around this area and further down from the cemetery. I believe that this existing catholic cemetery here in Inarajan is over 100 years old. I am very sure that such passage of time in our lives here as residents and have lived here all our lives mean a great deal not only as a people of a community, but to our sense of identity as catholics as one can hear the echoing of the refrain of the song called KATOLIKU, "Pues ante yan i tataotao-hu, Katoliku asta i finatai-hu".

I leave you with these words and pray to the Lord our God that you will all be guided as you make the final decisions for a community

whose faith is very strong and its commitment to one another is so great. Thank you all.


AFC Bill M. Paulino

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

JAN 06 '92

Bill No. 657 (cor)

Introduced by:


F.R. Santos

AN ACT TO PROVIDE FOR THE
ESTABLISHMET OF A NEW PUBLIC CEMETARY
IN THE MUNICIPALITY OF INARAJAN

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:
3

4 SECTION 1. LEGISLATIVE FINDINGS: Because of the
5 proximity of the Inarajan Cemetary to Route 4 and the coastline of
6 southern Guam, more particularly Agfayan Bay, whenever there is a
7 typhoon, there is the danger of the cemetary becoming inundated by the
8 ocean's wave action and storm surge. In the last two typhoons which have
9 caused considerable damage to southern Guam, Typhoon Russ, in
10 December, 1990, and Supertyphoon Yuri, on November 27, 1991, wave
11 action and the storm surge caused the Inarajan cemetary to be inundated
12 and graves were disrupted with the remains becoming strewn over several
13 hundred yards. The Legislature finds this to be a most undesireable
14 situation with inherent and obvious public health problems and which
15 creates emotional and stress related problems for the residents of Inarajan
16 who have loved ones buried in that cemetary and who are already
17 suffering from the devastation of the storm. In this vein, it is the finding of
18 the Guam Legislature that it is desireable and necessary to move the
19 Inarajan cemetary to an area which would not be exposed to wave and
20 storm surge damage and which will provide an adequate public burial
21 ground for the deceased residents of the village.

1 **SECTION 2. AUTHORIZATION:** The Director of Land
2 Management, the Director of the Department of Public Works, the
3 Administrator of the Guam Environmental Protection Agency and the
4 Director of the Department of Public Health and Social Services, in
5 cooperation and coordination with the Mayor of Inarajan, the Municipal
6 Planning Council of Inarajan and the Pastor and Parish Council of
7 Inarajan, shall cause to be surveyed and parcelled a portion of that
8 government of Guam property designated as Lot 8-3R, Ija, Municipality of
9 Inarajan, to be used as a new public cemetery for the Municipality of
10 Inarajan. The Director of the Department of Land Management, the
11 Director of the Department of Public Works, the Administrator of the
12 Guam Environmental Protection Agency and the Director of the
13 Department of Public Health and Social Services, in cooperation and in
14 coordination with the Mayor of Inarajan, the Municipal Planning Council
15 of Inarajan and the Pastor and Parish Council of Inarajan, shall prepare
16 plans and specifications for the closure of the existing Inarajan cemetery
17 upon completion of the new public cemetery. Such plans shall address the
18 desirability and feasibility of moving existing graves and grave sites from
19 the present cemetery to the new cemetery.

20 **SECTION 3. APPROPRIATIONS AUTHORIZED:** There is hereby
21 authorized to be appropriated, from the General Fund, such funds as are
22 necessary to accomplish the intent hereof. The Director of the Department
23 of Land Management and the Director of the Department of Public Works
24 shall prepare a proposed budget for the work necessary to accomplish the
25 intent hereof and shall submit said proposal to the Guam Legislature for
26 their consideration.