

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
300-35 (COR)	Telena Cruz Nelson	AN ACT TO AMEND THE TITLE OF CHAPTER 67, TITLE 10 GUAM CODE ANNOTATED AND AN ACT TO AMEND §§ 67100, 67101, 67103(f), 67105.1, 67106(c), 67107 AND 67108 ALL OF CHAPTER 67, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MAXIMUM REPRESENTATION OF VETERANS ON GUAM DUE TO THE INCREASE NUMBER OF VETERANS AND VETERANS ORGANIZATION ON GUAM.	2/21/20 9:47 a.m.						

I MINA TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 300-35 (COR)

Introduced by:

Telena Cruz Nelson



AN ACT TO AMEND THE TITLE OF CHAPTER 67, TITLE 10 GUAM CODE ANNOTATED AND AN ACT TO AMEND §§ 67100, 67101, 67103(f), 67105.1, 67106(c), 67107 AND 67108 ALL OF CHAPTER 67, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MAXIMUM REPRESENTATION OF VETERANS ON GUAM DUE TO THE INCREASE NUMBER OF VETERANS AND VETERANS ORGANIZATION ON GUAM.

2020 FEB 21 AM 9:47 AM
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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. The title of Chapter 67, Title 10, Guam Code Annotated shall be
3 amended to read:

4 CHAPTER 67

5 ~~OFFICE OF~~ GUAM VETERANS AFFAIRS OFFICE

6 Section 2. Other Statues. References in statues of Guam to the “Office of
7 Veterans Affairs” or the “Veterans Affairs Officer” of the Office of Veteran Affairs shall
8 now read “Guam Veteran Affairs Office” and “Director of the Guam Veterans Affairs”
9 of the Guam Veteran Affairs Office.

10 Section 3. § 67100 of Chapter 67, Title 10, Guam Code Annotated, is hereby
11 amended to read:

1 There is within the Office of *I Maga'lahaen Guåhan* ~~an Office of~~ Guam Veterans
2 Affairs Office. The Director of the Guam Veterans Affairs Officer ~~is a member of the~~ shall be
3 an unclassified service employee and is serving as the administrative head of the ~~Office~~
4 of Guam Veterans Affairs Office and is subject to the direction and control of *I*
5 *Maga'lahaen Guåhan*, who is the appointing authority, subject to the advice and consent
6 of I Liheslatura (the Legislature).

7 **Section 4.** § 67101 of Chapter 67, Title 10, Guam Code Annotated, is hereby
8 *amended* to read:

9 **§ 67101. Definitions.**

10 As used in this Chapter:

- 11 (a) ~~Officer~~ Director means Director of Guam Veterans Affairs Officer.
- 12 (b) Office means the ~~Office of~~ Guam Veterans Affairs Office.

13 **Section 5.** § 67103(f) of Chapter 67, Title 10, Guam Code Annotated, is hereby
14 *amended* to read:

15 (f) ~~may study and plan for the establishment of a~~ shall maintain and
16 operate the Territorial Veterans Cemetery of Guam, seeking such assistance, advice
17 and support from the Armed Forces of the United States, the Federal Veterans
18 Administration, other local and Federal agencies, ~~and~~ veterans and veteran's
19 organizations.

20 **Section 6.** § 67105.1 of Chapter 67, Title 10, Guam Code Annotated, is hereby
21 *amended* to read:

22 **§ 67105.1. Veterans Cemetery Trust Fund.**

23 (a) The Veterans Cemetery Trust Fund is transferred from the Guam Parks
24 Commission to the Guam Veterans Commission.

1 (b) Any money paid by the federal government to Guam in ~~connection with~~
2 regards to the use of the Cemetery *shall* be deposited in the Veterans Cemetery Trust
3 Fund and used for the maintenance of the Cemetery.

4 (c) Expenditures from the Fund *shall* be by direction of the ~~Veterans Affairs~~
5 ~~Officer~~ Director. The Director shall submit a monthly expenditure report to the Guam
6 Veterans Commission.

7 (d) The ~~Veterans Affairs Officer~~ Director *shall*, at the end of every quarter,
8 provide an accounting to the Guam Veterans Commission, *I Maga'låhen Guåhan* (the
9 Governor of Guam) and *I Liheslaturan Guåhan* for the use of the Fund, and have it
10 posted on the Office's website.

11 **Section 7.** § 67106(c) of Chapter 67, Title 10, Guam Code Annotated, is hereby
12 *amended* to read:

13 (c) A quarterly report *shall* be submitted by the ~~Veterans Affairs Officer~~ Director
14 to *I Maga'låhen Guåhan*, the Speaker of *I Liheslaturan Guåhan*, ~~and~~ the Public Auditor,
15 and the Guam Veterans Commission describing the solicitation, acceptance, utilization
16 and administration of gifts, bequests and donations, and posted on the Office's website.

17 **Section 8.** § 67107 of Chapter 67, Title 10, Guam Code Annotated, is hereby
18 *amended* to read:

19 **§ 67107. Guam Veterans Commission.**

20 (a) Commission Membership. There is hereby established a Guam Veterans
21 Commission which *shall*, at a minimum, be composed of a total of nine members, not to
22 exceed 15 members to include the following representation:

23 (1) ~~four~~ one members, each from each Congressionally and/or Nationally
24 Chartered organization. Should more than one chapter (i.e. VFW Posts) of these
25 organizations exist on Guam, each charter shall be entitled to a commission

1 member of whom *shall* be representative of a veterans or retirees association for
2 each branch of the U.S. Armed Forces to consist of:

3 (A) U.S. Army Retirees (or Veterans) Association;

4 (B) U.S. Air Force Retirees (or Veterans) Association;

5 (C) U.S. Navy Retirees (or Veterans) Association; ~~and~~

6 (D) U.S. Marine Corps Retirees (or Veterans) Associations; and

7 (E) U.S. Coast Guard Retirees (or Veterans) Association;

8 (2) ~~two members from the officially chartered Guam chapters of multi-~~
9 ~~service Veteran Service Organizations.~~ Organizations to be represented on the
10 Guam Veterans Commission, pertaining to Subsections (1) ~~and (2)~~, are required
11 to be duly registered as a non-profit organization with the Guam Department of
12 Revenue and Taxation, in accordance with Title 18 of Guam Code Annotated;
13 and/or is registered as a non-profit organization within the United States and
14 recognized as exempt under IRC 501(c)(19). The organizations shall furnish the
15 Guam Veterans Affairs Office with a copy of an official stamp received
16 documentation reflecting such requirement was fulfilled and a copy of the tax-
17 exempted certificate; and

18 (3) a maximum of ~~three~~ two members, whom each *shall* be a veteran, may
19 be appointed ~~from other veteran organizations on Guam, to include the Coast~~
20 ~~Guard.~~ Should a Veteran Service Organization have *more than* one Chapter, each
21 Chapter may recommend a representative to serve as a member of the
22 Commission, of which said appointment may be authorized to serve as provided
23 herein.

24 (4) Ex-Officio Members. With the recommendation of the Guam Veterans
25 Commission, *I Maga'lahaen Guåhan* may appoint as an ex-officio, non-voting
26 member a veteran of a foreign country who has fought alongside U.S. armed
27 forces members as allies in combat, who is representative of an established

1 veterans organization on Guam, and who has resided on Guam for a minimum of
2 three years immediately preceding the appointment. Said veteran *shall* serve for a
3 term of three years from the date of appointment.

4 (b) Commission Membership Terms and Conduct of Business.

5 (1) Veteran Organization Appointments. The Commander, or designee, of
6 Veteran Service Organizations *shall* present in writing to the Chairman of the
7 Commission the name of the individual who *shall* represent their organization to
8 serve on the Commission, which *shall* be subject to the ~~forementioned~~ provisions
9 above.

10 (2) Terms of Commission Members. Every member of the Commission
11 *shall* serve for a term of three years, to commence on the date of appointment.

12 (A) Should the representative terminate his/her term prior to the
13 conclusion of the three years, the Veteran Service Organization *shall*
14 appoint a successor to serve for a new three-year term, which *shall*
15 commence upon the date of appointment.

16 (B) Said appointment *shall* be in writing and presented to the
17 Chairman of the Guam Veterans Commission, with a copy to be furnished
18 to the Veterans Affairs Officer of the Office of Veterans Affairs.

19 (3) Quorum Requirements. For purposes of a quorum and for the official
20 conduct of business, a minimum of ~~five~~ fifty percent (50%) plus 1 of the voting members
21 on the Commission *shall* constitute a quorum. For the official conduct of business,
22 a majority of the members present, following the constituting of a quorum, *shall*
23 be required to conduct official business in accordance with the Roberts Rule of
24 Order.

25 (4) Scheduled Meetings. The Commission *shall* meet monthly and *shall*
26 advise the Veterans Affairs Officer regarding matters affecting veterans and
27 related issues. Said meeting times, place and dates *shall* be decided to allow the

1 greatest level of participation and attendance by Commission members as
2 provided for in the Guam Veterans Commission By-Laws.

3 (5) Veteran Community Participation. The Commission *shall* provide
4 veterans and their families with the opportunity to air grievances for the purpose
5 of effecting corrective action or change to existing policies that affect the delivery
6 of benefits and services to the Guam veteran population.

7 (6) Administrative Support. The GVAO, through the direction of the ~~VAO~~
8 ~~Administrator~~ Director, *shall* provide administrative support to the Guam
9 Veterans Commission in the conduct of its meetings.

10 (7) Commission Activities. Upon official written request by the Chairman
11 of the Commission for information or action by the ~~VAO Administrator~~ Director
12 on issues affecting the Commission or Veterans, the ~~VAO Administrator~~ Director
13 *shall* provide a written response to the Commission within ~~four~~ two weeks from
14 the date of receipt of such communication. Should the ~~VAO Administrator~~
15 Director require additional time to provide a sufficient response to the matter, the
16 VAO *shall* request in writing a time extension, not to exceed an additional ~~four~~
17 two weeks, and further provide justification for the need for such time extension
18 in said written communication. Such request *shall* be granted upon receipt by the
19 Chairman of the Commission.

20 **Section 9.** § 67108 of Chapter 67, Title 10, Guam Code Annotated, is hereby
21 *amended* to read:

22 **§ 67108. Vacancy.**

23 When the position of ~~Veterans Affairs Officer~~ Director, ~~Office of Veterans Affairs~~
24 is vacant or vacated, the Guam Veterans Commission may recommend a nominee to
25 *I Maga'lahaen Guåhan* ~~from a list of eligible applicants(s) provided by the Department~~
26 ~~of Administration.~~

1 **Section 10. Effective Date.** All sections of this Act *shall* be effective upon
2 enactment.