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I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (First) Regular Session

Bill No. 266-30(COR)

Introduced by:

T.C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.

AN ACT TO PROVIDE CAPITAL IMPROVEMENT FUNDS FOR THE GUAM VETERANS CEMETERY BY ADDING A NEW SUBSECTION (i) TO §51821 OF ARTICLE 8, CHAPTER 51, DIVISION 2, TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REALLOCATION OF EXCESS FUNDING PROCEEDS FROM THE 2009 SOLID WASTE MANAGEMENT SYSTEM BOND FUNDS

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that the Guam Veterans Cemetery is the final resting place for
4 Guam's sons and daughters who honorably served our nation and our island, and for some, made
5 the ultimate sacrifice. It is fitting that this resting place be maintained in a state that is befitting
6 of the unselfish sacrifice and honorable service that these brave men and women gave to the
7 nation and our island.

8 *I Liheslaturan Guåhan* finds that visitors to the Guam Veterans Cemetery will encounter
9 disheartening conditions that represent a lack of the appropriate honor deserving for our buried
10 veterans. Instead of the expected standards associated with a Veterans Cemetery, conditions are

1 found in disrepair and do not resemble the systematic order and dignity one expects from a
2 monument dedicated to the U.S. Veterans. Such conditions visible at the cemetery include:

- 3 a. A chain link fence that is in need of replacement with a more permanent concrete
4 structure,
- 5 b. Structurally compromised crypts that had shifted or settled due to frequent seismic
6 activity,
- 7 c. Grave markers and crypts overcome with overgrown flora due to the lack of trimming,
- 8 d. A confusing grave layout that adds to the difficulty of locating individual graves,
- 9 e. Bug infestation of vacant crypts,
- 10 f. Cracked and algae covered sidewalks,
- 11 g. Sunken graves of recently interred caskets and,
- 12 h. Paint splattered grave/crypt markers.

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14 *I Liheslaturan Guåhan* finds that the Guam Veterans Cemetery averages approximately 100
15 in-ground burials per year; the remaining burial capacity of 215 is expected to be exhausted by
16 the year 2011. To maximize the limited land space available, the construction of columbarium to
17 increase burial capacity should be considered.

18 *I Liheslaturan Guåhan* finds that additional capital improvements are required in order to
19 maintain the appearance of a Veterans Cemetery in a manner befitting the honorable and
20 unselfish sacrifices made by our Veterans, which include the construction of a columbarium, the
21 construction of a concrete durable perimeter fence resistant to the elements, install flag poles to
22 support a garrison flag and interior perimeter flags, and the installation of a lighting system using
23 renewable energy technology.

24 *I Liheslaturan Guåhan* finds that the poor state of affairs at the Veterans' Cemetery is further
25 corroborated by a review that was recently performed by the U.S. Department of Veterans
26 Affairs (DVA), National Cemetery Administration, in compliance with 38 CFR Part 39.23(c)

1 conducted a Triennial Review of the Guam State Veterans Cemetery in August 2009. Federal
2 Regulations require that “VA, in coordination with the State, shall inspect the project at
3 completion for compliance with the standards set forth in §§39.19 through 39.22 and at least
4 once in every 3-year period following completion of the project throughout the period the facility
5 is operated as a State veterans' cemetery....”

6 *I Liheslaturan Guåhan* finds that the government of Guam has issued \$202.4 million of
7 limited obligation bonds for the financing of the Solid Waste Management System and for the
8 payment of costs of a new landfill and the closure of the Ordot Dump, authorized in P.L. 30-1,
9 and amended by P.L. 30-7. It further finds that the Governor of Guam has submitted a loan
10 request to the U.S. Department of Agriculture (USDA), through the economic stimulus package,
11 for up to \$170 million to fund consent decree related projects, and that the approval of such loan
12 is currently pending. As such, upon approval of the USDA loan, an estimated \$100 million from
13 the aforementioned bonds may be available for reprogramming to other vital needs of the
14 government of Guam.

15 **Section 2.** A new § 51821 (i) is added to Article 8 of Chapter 51 of Title 10 of the Guam
16 Code Annotated to read:

17 **“§51821 (i). Additional payments that shall be made out of proceeds of bonds.**

18 The amount of payments made from the proceeds of grants and loans given to the
19 government of Guam from the United States Department of Agriculture for the
20 purposes set out in §51821 of Article 8 of Chapter 51 of Title 10 of the Guam Code
21 Annotated, shall be subtracted from the amount authorized to be paid for the purposes
22 set out in the above cited §51821, and instead Two Million Four Hundred Thousand
23 Dollars (\$2,400,000) of these additional bond proceeds shall be used for the design,

1 construction, and demolition or site preparation that may be required to construct the
2 following:

- 3 1. Concrete Perimeter Fence
- 4 2. Columbarium Wall
- 5 3. Garrison Flag poles
- 6 4. Interior Perimeter Flag Poles
- 7 5. Solar Powered Area Lighting System