



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho  
Governor

Kaleo Scott Moylan  
Lieutenant Governor

13 JUN 2005

The Honorable Mark Forbes  
Speaker  
Mina' Bente Ocho Na Liheslaturan Guåhan  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 113 (EC), "AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE" which I signed into law on June 10, 2005, as **Public Law 28-46**.

Sinseru yan Magåhet,

FELIX P. CAMACHO  
I Maga'låhen Guåhan  
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo  
Senator and Legislative Secretary

|   |                      |
|---|----------------------|
| <b>Senator Edward J.B. Calvo</b><br><b>SECRETARY OF THE LEGISLATURE</b><br><b>ACKNOWLEDGEMENT RECEIPT</b> |                      |
| Rcv'd by: <u>Nikole MWS</u>   | Print Name & Initial |
| Time: <u>3:40</u>   | Date: <u>6-14-05</u> |

0240

Office of the Speaker  
MARK FORBES

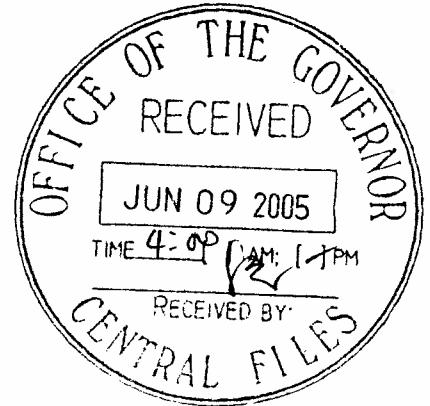
Date: 6/13/05  
Time: 1:00 pm  
Rec'd by: [Signature]  
Print Name: Ed Forbes  
28-05-0243



**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN**  
TWENTY-EIGHTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

June 9, 2005

The Honorable Felix P. Camacho  
*I Maga'lahen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*



Dear *Maga'lahi* Camacho:

Transmitted herewith are Substitute Bill Nos. 101(EC) and 113(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on June 8, 2005.

Sincerely,

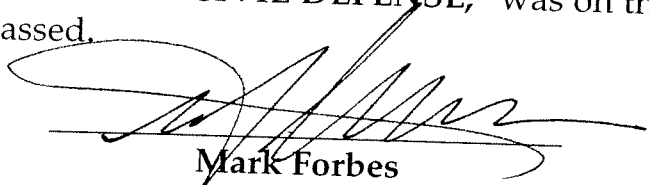
EDWARD J.B. CALVO  
Senator and Secretary of the Legislature

Enclosures (2)

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session

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

This is to certify that Substitute Bill No. 113 (EC), AN ACT TO AMEND SECTIONS 63102 AND 63204 OF DIVISION 3 OF CHAPTER 63, ARTICLE 1, TITLE 10, GUAM CODE ANNOTATED; TO AMEND SECTIONS 67100, 67101, 67102, 67103, DIVISION 3, CHAPTER 67, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW SECTION 67105 AND SECTION 67106 TO DIVISION 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF VETERANS AFFAIRS; TO AMEND SUBSECTION (1) OF SECTION 65101 AND SECTION 65103 AND REPEAL SECTION 65105 AND SECTION 65106 OF CHAPTER 65, DIVISION 3 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF CIVIL DEFENSE," was on the 8<sup>th</sup> day of June, 2005, duly and regularly passed.

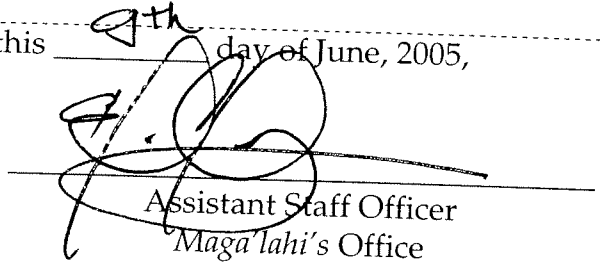
  
Mark Forbes  
Speaker

Attested:

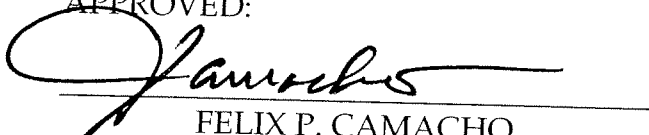


Edward J.B. Calvo  
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 9<sup>th</sup> day of June, 2005,  
at 4 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

  
FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: 6/10/05

Public Law No. PL 28-46

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session

**Bill No. 113 (EC)**

As substituted by the Committee  
on Judiciary, Governmental Operations,  
and Reorganization and amended.

Introduced by:

A. R. Unpingco  
Mark Forbes  
J. M.S. Brown  
R. Klitzkie  
J. T. Won Pat  
L. F. Kasperbauer  
F. B. Aguon, Jr.  
Edward J.B. Calvo  
B. J.F. Cruz  
Mike Cruz  
L. A. Leon Guerrero  
J. A. Lujan  
A. B. Palacios  
R. J. Respicio  
Ray Tenorio

**AN ACT TO AMEND SECTIONS 63102 AND 63204 OF DIVISION 3 OF CHAPTER 63, ARTICLE 1, TITLE 10, GUAM CODE ANNOTATED; TO AMEND SECTIONS 67100, 67101, 67102, 67103, DIVISION 3, CHAPTER 67, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW SECTION 67105 AND SECTION 67106 TO DIVISION 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF VETERANS AFFAIRS; TO AMEND SUBSECTION (1) OF SECTION 65101 AND SECTION 65103 AND REPEAL SECTION 65105 AND SECTION 65106 OF CHAPTER 65, DIVISION 3 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF CIVIL DEFENSE.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds that the demand for services by the veterans of Guam are not being met  
4 by the current organizational structure under which the Office of Veterans  
5 Affairs is mandated to operate. The Office of Veterans Affairs has never  
6 realized its potential of providing a data-base of military occupational  
7 specialties of local veterans which, if needed, could be identified to provide  
8 the manpower needed to reinforce the needs of government of Guam agencies  
9 responding to emergencies caused by natural or manmade disasters. The  
10 Office of Veterans Affairs cannot even provide a list identifying all veterans  
11 on Guam. It is the intent of *I Liheslaturan Guåhan* to create an Office of  
12 Veterans Affairs within the Office of *I Maga'lahaen Guåhan*. The Guam Office of  
13 Veterans Affairs is only authorized by Federal statute to process initial claims  
14 application; the process to appeal any decisions made by the Federal Veterans  
15 Affairs Office could only be made through one (1) of the five (5) Recognized  
16 Service Organizations. The creation of the Guam Veterans Commission,  
17 comprised of a representative from each of the five (5) Recognized Service  
18 Organizations, gives our local veterans an instantaneous and seamless access  
19 to the appeals process.

20           *I Liheslaturan Guåhan* further finds that while there is commonality  
21 between the Department of Military Affairs and the Office of Civil Defense  
22 with regards to planning for response to emergencies resulting from natural  
23 or manmade disasters, Federal regulations prohibit the Adjutant General from  
24 serving both the Army National Guard and the Office of Civil Defense when a  
25 Federal State of Emergency is declared. This required either the appointment

1 of an Assistant Adjutant General or an Acting Adjutant General. With  
2 assisting the Office of Homeland Security being added to the duties and  
3 responsibilities of the Office of Civil Defense, to be more responsive, the office  
4 must be situated within the Office of *I Maga'lahren Guåhan*. It is therefore the  
5 intent of *I Liheslaturan Guåhan* to locate the Office of Civil Defense within the  
6 Office of *I Maga'lahren Guåhan*.

7 **Section 2. Section 63102 of Division 3, Chapter 63, Article 1 of Title**  
8 **10 Guam Code Annotated is hereby amended to read:**

9 "§63102. **Management of the Guam National Guard.** The  
10 Department of Military Affairs shall be responsible for the management  
11 of all elements of the Guam National Guard not in active service of the  
12 United States."

13 **Section 3. Section 63204 of Division 3, Chapter 63, Article 1 of Title**  
14 **10 Guam Code Annotated is hereby amended to read:**

15 "§63204. **Headquarters Staff.** The headquarters staff of the  
16 Department of Military Affairs shall consist of the Adjutant General, the  
17 Assistant Adjutants General for Army and Air, and such other offices as  
18 the Adjutant General, with the approval of *I Maga'lahren Guåhan*, shall  
19 establish."

20 **Section 4. Section 67100, of Division 3, Chapter 67, Article 1 of Title**  
21 **10 Guam Code Annotated is hereby amended to read:**

22 "§67100. **Creation of Office.** There is within the Office of *I*  
23 *Maga'lahren Guåhan* an Office of Veterans Affairs. The Veterans Affairs  
24 Officer is a member of the classified service and is the administrative

1 head of the Office of Veterans Affairs subject to the direction and control  
2 of *I Maga'lahaen Guåhan*, who is the appointing authority."

3 **Section 5. Section 67101 of Division 3, Chapter 67, of Article 1 of**  
4 **Title 10 Guam Code Annotated is hereby amended to read:**

5 **"§67101. Definitions.** As used in this Chapter:

6 (a) Officer means Veterans Affairs Officer.

7 (b) Office means the Office of Veterans Affairs.

8 (c) Veteran includes veterans of the Guam Combat Patrol,  
9 the United States Navy Insular Force, Philippine Scouts  
10 and the United States Armed Forces."

11 **Section 6. Section 67102, of Division 3, Chapter 67, of Article 1 of**  
12 **Title 10 Guam Code Annotated is hereby amended to read:**

13 **"§67102. Purpose of Office.** The Office shall be responsible for  
14 the administration of all local laws respecting veterans of the Armed  
15 Forces of the United States. It shall also be that agency of the  
16 government of Guam charged with the responsibility of cooperating  
17 with the Veterans Administration of the United States in all matters  
18 relating to local veterans. The Office shall assist every veteran of Guam  
19 and the dependent or survivor of every veteran of Guam in presenting  
20 and pursuing such claim as the veteran, dependent, or survivor may  
21 have under current Federal law governing VA benefits arising out of  
22 qualifying military service and in establishing the veteran's,  
23 dependent's or survivor's right to any privilege, preference, care or  
24 compensation provided for by the laws of the United States or of Guam.  
25 The processing of claims for veterans and their dependents and

1 survivors shall be limited to the initial claims. The claims may include  
2 the following types of benefits and service:

- 3 1. Disability compensation benefits.
- 4 2. Disability pension benefits.
- 5 3. Dependents' indemnity compensation.
- 6 4. Widow's death pension.
- 7 5. Burial benefits.
- 8 6. Confirmed and continued claims.
- 9 7. Vocational rehabilitation and education.
- 10 8. Waivers of indebtedness.
- 11 9. Other benefits that result in monetary awards to the  
12 claimant.

13 It shall furnish staff services for Guam veterans and shall  
14 cooperate with all local veterans organizations."

15 **Section 7. Section 67103 of Division 3, Chapter 67, of Article 1 of**  
16 **Title 10 Guam Code Annotated is hereby *amended* to read:**

17 **"§67103. Powers and Duties of Officer.** The Officer:

- 18 (a) shall administer the Office and implement the  
19 provisions set forth in Section 67102 above;
- 20 (b) shall exercise and discharge the duties of the Office  
21 through such organizational units as he may establish;
- 22 (c) shall enforce the provisions of this Chapter and of any  
23 other laws granting him jurisdiction pertaining to  
24 veterans of the Armed Forces of the United States;



- 1 (d) may administer and certify oaths and affirmations, take  
2 and certify affidavits and acknowledgments, and  
3 exercise any other power of a notary public, but only as  
4 part of his duties under this Chapter and neither he nor  
5 his office shall charge any fee for such certification or  
6 notarial service;
- 7 (e) may formulate and adopt rules necessary or proper for  
8 the internal administration of the Office; and
- 9 (f) may study and plan for the establishment of a  
10 Territorial Veterans Cemetery, seeking such assistance,  
11 advice and support from the Armed Forces of the  
12 United States, the Federal Veterans Administration,  
13 other local and Federal agencies, and veterans and  
14 veterans organizations.
- 15 (g) shall receive and consider the recommendations of the  
16 Guam Veterans Commission."

17 **Section 8. Appropriation in Effect.** Funds appropriated under Public  
18 Law 27-126 to the Veterans Affairs Office shall continue to be available until  
19 the repair and renovation of Guam Housing and Urban Renewal Authority  
20 Lot 8, Block 19, Tract 2025 is completed.

21 **Section 9 Public Law 26-106, Chapter 4, Section 25, is hereby**  
22 *amended to read:*

23 "§25. **Appropriation to the Office of Veterans Affairs.** The sum  
24 of Two Hundred Seventy Thousand Dollars (\$270,000.00) is hereby  
25 appropriated from the General Fund to the Office of Veterans Affairs for

1 the purpose of hiring sufficient personnel to expedite the processing of  
2 veteran benefit applications, as well as for rent and utilities needed to  
3 permit expansion of office space and service area for the Office of  
4 Veterans Affairs, and for a public information campaign to encourage  
5 veterans to apply for benefits."

6 **Section 10.** A new Section 67107 of Division 3, Chapter 67, is hereby  
7 *added to Title 10 Guam Code Annotated to read:*

8 "§67107. **Guam Veterans Commission.** There is hereby  
9 established, in the Office of Veterans Affairs, a Guam Veterans  
10 Commission which shall consist of five (5) members, one (1) each from  
11 the five (5) current Recognized Service Organizations: American Legion,  
12 Veterans of Foreign Wars, Military Order of the Purple Heart, Vietnam  
13 Veterans of America and the Disabled American Veterans. The  
14 Commander of each Recognized Service Organization shall be the  
15 representative. Every representation shall serve for the term of the  
16 Commander, *but not more than two (2) years*. If the Commander's term  
17 exceeds two (2) years, the service organization shall appoint, by Chapter  
18 Executive Council vote, a successor to serve during the term of the  
19 incumbent Commander. Should a Recognized Service Organization  
20 have more than one Chapter, then the membership within the  
21 Commission shall be rotated among those Chapters.

22 The Commission shall meet quarterly and shall advise the  
23 Veterans Affairs Officer regarding matters affecting veterans and  
24 eligible claimants regarding Veterans Administration-related issues.  
25 The Commission shall provide veterans and their families with the

1 opportunity to air grievances for the purpose of effecting corrective  
2 action or change to existing policies that affect delivery of benefits and  
3 services to the Guam veteran population. The members of the  
4 Commission are volunteers and shall not receive compensation.”

5 **Section 11.** A new Section 67108, of Division 3, Chapter 67, is hereby  
6 *added* to Title 10 Guam Code Annotated to read:

7 “§67108. **Vacancy.** When the position of Veterans Affairs Officer,  
8 Office of Veterans Affairs is vacant or vacated, the Guam Veterans  
9 Commission may recommend a nominee to *I Maga’lahen Guåhan* from a  
10 list of eligible applicant(s) provided by the Department of  
11 Administration.”

12 **Section 12.** Subsection (1) of Section 65101, Chapter 65, Division 3 of  
13 Title 10 Guam Code Annotated is hereby *amended* to read:

14 “§65101. **Purpose.** (1) to create within the Office of *I Maga’lahen*  
15 *Guåhan* an Office of Civil Defense for Guam;”

16 **Section 13.** Section 65103, Chapter 65, Division 3 of Title 10 Guam  
17 Code Annotated is hereby *amended* to read:

18 “§65103. **Office of Civil Defense: Creation; Administrator;**  
19 **Personnel.** (a) There is hereby created, within the Office of *I Maga’lahen*  
20 *Guåhan*, an Office of Civil Defense with an Administrator of Civil  
21 Defense, hereinafter called the ‘Administrator,’ who shall be a member  
22 of the classified service and is the administrative head of the Office of  
23 Civil Defense, subject to the direction and control of *I Maga’lahen*  
24 *Guåhan*.

1 (b) The Administrator, with the approval of *I Maga'lahaen Guåhan*,  
2 may employ such technical, clerical, stenographic and other personnel  
3 and may make such expenditures within the appropriation therefore, or  
4 from other funds made available to him for purposes of civil defense, as  
5 may be necessary to carry out the purposes of this Chapter.

6 (c) The Administrator and other personnel of the Office of Civil  
7 Defense shall be provided by *I Maga'lahaen Guåhan* with appropriate  
8 office space, furniture, equipment, motor vehicles, supplies, stationery  
9 and printing in the same manner as are provided for personnel of other  
10 government of Guam agencies.

11 (d) The Administrator, subject to the direction and control of *I*  
12 *Maga'lahaen Guåhan*, shall be the administrative head of the Office of Civil  
13 Defense and shall be responsible to *I Maga'lahaen Guåhan* for carrying out  
14 the program for the civil defense of Guam. He shall coordinate the  
15 activities of all organizations for civil defense within Guam, and shall  
16 maintain liaison with and cooperate with civil defense agencies and  
17 organizations and the Armed Forces of the Federal government, and  
18 shall have such additional authority, duties and responsibilities as are  
19 authorized by this Chapter, or as may be prescribed by *I Maga'lahaen*  
20 *Guåhan*."

21 **Section 14.** Section 65105, Chapter 65, Division 3 of Title 10 Guam  
22 Code Annotated is hereby *repealed* in its entirety.

23 **Section 15.** Section 65106, Chapter 65, Division 3 of Title 10 Guam  
24 Code Annotated is hereby *repealed* in its entirety.

# I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 6/8/05  
*Wednesday*

## VOTING SHEET

S Bill No. 113(FC)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

| <u>NAME</u>               | <u>YEAS</u> | <u>NAYS</u> | <u>NOT VOTING/<br/>ABSTAINED</u> | <u>OUT DURING<br/>ROLL CALL</u> | <u>ABSENT</u> |
|---------------------------|-------------|-------------|----------------------------------|---------------------------------|---------------|
| AGUON, Frank B., Jr.      | ✓           |             |                                  |                                 |               |
| BROWN, Joanne M.S.        | ✓           |             |                                  |                                 |               |
| CALVO, Edward J.B.        | ✓           |             |                                  |                                 |               |
| CRUZ, Benjamin J.F,       | ✓           |             |                                  |                                 |               |
| CRUZ, Michael (Dr.)       | ✓           |             |                                  |                                 |               |
| FORBES, Mark              | ✓           |             |                                  |                                 |               |
| KASPERBAUER, Lawrence F.  | ✓           |             |                                  |                                 |               |
| KLITZKIE, Robert          | ✓           |             |                                  |                                 |               |
| LEON GUERRERO, Lourdes A. |             |             |                                  |                                 | EA ✓          |
| LUJAN, Jesse A.           | ✓           |             |                                  |                                 |               |
| PALACIOS, Adolpho B.      | ✓           |             |                                  |                                 |               |
| RESPICIO, Rory J.         | ✓           |             |                                  |                                 |               |
| TENORIO, Ray              | ✓           |             |                                  |                                 |               |
| UNPINGCO, Antonio R.      | ✓           |             |                                  |                                 |               |
| WON PAT, Judith T.        | ✓           |             |                                  |                                 |               |

TOTAL

14    0    0    0    1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

PL-28-46



# Bob's Office

The Office of Senator Robert Klitzkie

197 Hernan Cortes Ave., Suite A-1  
Hagatna, Guam 96910

(671) 472-9355 • bob@bobsoffice.org • www.bobsoffice.org

May 24, 2005

The Honorable Speaker Mark Forbes  
155 Hesler Place  
Hagatna, Guam 96910

RE: Bill 113 (EC) - Committee Report

Mr. Speaker:

The Committee on Judiciary, Governmental Operations, and Reorganization, to which was referred **BILL 113 (EC), AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE**, has had the same under consideration, and now wishes to report back the same with the recommendation **to pass**.

Transmitted herewith for your consideration and action is our committee report on the above subject matter. The Committee votes are as follows:

7 TO PASS  
0 NOT TO PASS  
0 TO REPORT OUT ONLY  
0 ABSTAIN  
0 INACTIVE FILE

A copy of the committee report and other pertinent documents are attached for your immediate reference.

Any questions on the report and the accompanying documents should be directed to my office via email at [bob@bobsoffice.org](mailto:bob@bobsoffice.org) or by phone at 472-9355.

Sincerely,  
  
Bob

Senator Robert Klitzkie, Chairman  
Committee on Judiciary, Governmental Operations & Reorganization



# Bob's Office

*The Office of Senator Robert Klitzkie*

197 Hernan Cortes Ave., Suite A-1  
Hagatna, Guam 96910

(671) 472-9355 • bob@bobsoffice.org • www.bobsoffice.org

---

May 24, 2005

Committee on Judiciary, Governmental Operations,  
& Reorganization  
155 Hesler Place  
Hagatna, Guam 96910

RE: Voting Sheet for Bill 113 (EC)

Dear Members:

Transmitted herewith is the voting sheet and committee report on **BILL 113 (EC), AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE**, as substituted by the committee, for your review and signature.

Your attention to this matter is greatly appreciated.

Sincerely,

**Bob**

**Senator Robert Klitzkie, Chairman**

Committee on Judiciary, Governmental Operations,  
& Reorganization



**Committee on Judiciary, Governmental  
Operations, and Reorganization**  
*I Mina' Bente Ocho Na Liheslaturan Guahan*

**Bill 113 (EC)**

AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE.

|   | Signature | To Pass | Not To Pass | Report Out of Committee | Abstain | Inactive File |
|---|-----------|---------|-------------|-------------------------|---------|---------------|
| Senator Robert Klitzkie, Chairman         |           | X       |             |                         |         |               |
| Speaker Mark Forbes, Ex-Officio           |           | ✓       |             |                         |         |               |
| Senator Jesse Lujan, Member               |           | 5/25/05 |             |                         |         |               |
| Senator Adolpho Palacios, Member          |           | X       |             |                         |         |               |
| Senator Larry Kasperbauer, Ph. D., Member |           | X       |             |                         |         |               |
| Senator Ray Tenorio, Member               |           | ✓       |             |                         |         |               |
| Senator B.J. Cruz, Member                 |           | ✓       |             |                         |         |               |



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**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2005 (FIRST) Regular Session**

Bill No. 113 (EC)

Introduced by:

A. R. Unpingco

M. Forbes

J. M. S. Brown

R. Klitzkie

J. Won Pa

**AN ACT TO AMEND SECTIONS 63102 AND 63204  
OF TITLE 10, GUAM CODE ANNOTATED  
RELATIVE TO CIVIL DEFENSE AND VETERANS  
AFFAIRS; TO AMEND SECTIONS 67100, 67101,  
67102, 67103, 67104 OF TITLE 10, GUAM CODE  
ANNOTATED RELATIVE TO VETERANS  
AFFAIRS; TO ADD NEW SECTIONS 67105 AND  
SECTION 67106 TO TITLE 10, GUAM CODE  
ANNOTATED RELATIVE TO VETERANS  
AFFAIRS AND TO AMEND SUBSECTION (1) OF  
SECTION 65101 CHAPTER 65 DIVISION 3 OF  
TITLE 10 GUAM CODE ANNOTATED RELATIVE  
TO THE OFFICE OF CIVIL DEFENSE.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the demand for services by the Veterans of Guam are not being met by  
4 the current organizational structure under which the Office of Veterans  
5 Affairs is mandated to operate. The Office of Veterans Affairs has never  
6 realized its potential of providing a data base of military occupational  
7 specialties of local veterans which, if needed, could be identified to provide

1 the manpower needed to reinforce the needs of government of Guam agencies  
2 responding to emergencies caused by natural or manmade disasters. The  
3 Office of Veterans Affairs cannot even provide a list identifying all veterans  
4 on Guam. It is the intent of *I Liheslaturan Guåhan* to create an Office of  
5 Veterans Affairs within the office of *I Maga'lahren Guåhan* and to define the  
6 qualifications of the Veterans Affairs Officer that will head the Office of  
7 Veterans Affairs.

8 **Section 2. Amendment to Section 63102.** Section 63102 of Title 10 Guam  
9 Code Annotated is amended to read:

10 **"§ 63102. Management of the Guam National Guard, ~~and the~~**  
11 **~~Office of Civil Defense and the Office of Veterans Affairs.~~** The Department  
12 of Military Affairs shall be responsible for the management of all elements of  
13 the Guam National Guard not in active service of the United States ~~the Office~~  
14 ~~of Civil Defense and the Office of Veterans Affairs."~~

15 **Section 3. Amendment to Section 63204.** Section 63102 of Title 10 Guam  
16 Code Annotated is amended to read:

17 **"§ 62204. Headquarters Staff.** The headquarters staff of the  
18 Department of Military Affairs shall consist of the Adjutant General, the  
19 Assistant Adjutants General for Army and Air, ~~the Administrator of the Office~~  
20 ~~of Civil Defense, and the Administrator of the Office of Veterans Affairs,~~ and  
21 such other offices as the Adjutant General, with the approval of *I Maga'lahren*  
22 *Guåhan*, shall establish."

23 **Section 4. Amendment to Section 67100.** Section 67100 of Title 10 Guam  
24 Code Annotated is hereby amended to read:

1           **"§ 67100. Creation of Office.** There is within the Office  
2 ~~Department of Military Affairs~~ Office of the Governor an Office of Veterans  
3 Affairs. The Veterans Affairs Officer who shall be in the classified service and  
4 shall be appointed from a list of qualified applicants by I Maga'lahaen Guåhan  
5 with the advice and consent of I Liheslaturan Guåhan.~~is a member of the~~  
6 ~~classified service and is the administrative head of the Office of Veterans~~  
7 ~~Affairs subject to the direction and control of the Adjutant General.~~ This  
8 Section shall be effective upon the establishment of the pay range by the Civil  
9 Service Commission."

10           **Section 5. Amendment to Section 67101.** Section 67101 of Title 10 Guam  
11 Code Annotated is hereby amended to read:

12           **"§ 67101. Definitions.** As used in this Chapter:

13           (a) Officer means Veterans Affairs Officer.

14           (b) Office means the Office of Veterans Affairs.

15           (c) Veteran includes veterans of the Guam Combat Patrol, ~~and~~ the  
16           United States Navy Insular Force, and the United States Armed  
17           Service(s)."

18           **Section 6. Amendment to Section 67102.** Section 67102 of Title 10 Guam  
19 Code Annotated is hereby amended to read:

20           **"§67102. Purpose of Office.** The Office shall be responsible for the  
21 administration of all local laws respecting veterans of the Armed Forces of the  
22 United States. It shall also be that agency of the government of Guam charged  
23 with the responsibility of cooperation with the Veterans Administration of the  
24 United States in all matters relating to local veterans. The office shall assist

1 every veteran of Guam and the dependent or survivor of every veteran of  
2 Guam in presenting and pursuing the claim as the veteran, dependent, or  
3 survivor may have under current Federal Law Governing VA Benefits arising  
4 out of qualifying military service and in establishing the veteran's,  
5 dependent's or survivor's right to any privilege, preference, care of  
6 compensation provided for by the laws of the United States or of Guam. The  
7 processing of claims for veterans and their dependents and survivors shall be  
8 limited to the initial claim. The claims may include the following types of  
9 benefits and service:

10 (a) Disability compensation benefits

11 (b) Disability pension benefits

12 (c) Dependents' indemnity compensation

13 (d) Widow's death pension

14 (e) Burial benefits

15 (f) Confirmed and continued claims

16 (g) Vocational rehabilitation and education

17 (h) Waivers of indebtedness

18 (i) Other benefits that result in monetary awards to the  
19 claimant.

20 It shall furnish staff services for Guam veterans and shall cooperate with  
21 all local veterans organizations."

22 **Section 7. Amendment to Section 67103.** Section 67103 of Title 10 Guam  
23 Code Annotated is hereby amended to read:

24 **"§ 67103. Powers and Duties of Officer.** The officer:

- 1 (a) shall administer the office;
- 2 (b) shall exercise and discharge the duties of the office through  
3 such organizational units as he may establish;
- 4 (c) shall enforce the provisions of this Chapter and of any other  
5 laws granting him jurisdiction pertaining to veterans of the  
6 armed forces of the United States;
- 7 (d) may administer and certify oaths and affirmations take and  
8 certify affidavits and acknowledgments, and exercise any other  
9 power of a notary public, but only as part-of his duties under  
10 this Chapter and neither he nor his office shall charge any fee  
11 for such certification or notarial service;
- 12 (e) may formulate and adopt rules necessary or proper for the  
13 internal administration of the office; and
- 14 (f) may study and plan for the establishment of a Territorial  
15 Veterans Cemetery, seeking such assistance, advice and  
16 support from the armed forces of the United States, the federal  
17 Veterans Administration, other local and federal agencies and  
18 veterans and veterans organizations.
- 19 (g) shall accept and implement the recommendations of the Guam  
20 Veterans Commission."

21 **Section 8. Amendment to Section 67104.** Section 67104 of Title 10 Guam  
22 Code Annotated is hereby amended to read:

23 "§ 67104. Upon effective date of this Chapter, all contracts, books,  
24 records, papers, documents, property and pending business heretofore made,

1 used and acquired or conducted by the Veterans Affairs Coordinator shall be  
2 transferred to the Office of Veterans Affairs, and all employees of the Veterans  
3 Coordinator engaged in performing junctions herein transferred shall be  
4 transferred to the Office of Veterans Affairs.

5 Funds appropriated under Public Law 27-126 to the Veterans Affairs  
6 Office shall continue to be available until the repair and renovation of Guam  
7 Housing and Urban Renewal Authority Lot 8, Block 19, Tract 2025 is  
8 completed."

9 **Section 9. Amendment to Public Law 27-106.** Public Law 26-106  
10 Chapter 4 Section 25 is amended to read:

11 **"§25.** Appropriation to the ~~Department of Military Affairs~~ for Office of  
12 Veterans Affairs. The sum of Two Hundred Seventy Thousand Dollars  
13 (\$270,000.00) is hereby appropriated from the General Fund to the Office of  
14 Veterans Affairs for the purpose of hiring three (3) Veterans Service  
15 Representatives, one (1) field Representative and one (1) Administrative  
16 Officer to expedite the processing of Veteran benefit applications, as well as  
17 for rent and utilities needed to permit expansion of office space and service  
18 area for the Office of Veterans Affairs, and for a public information campaign  
19 to encourage Veterans to apply for benefits.

20 **Section 10. A New Section 67105.** A new Section 67105 is added to Title  
21 10 Guam Code Annotated to read:

22 "§67105. Qualification of Veterans Affairs Officer. In addition  
23 to the various qualifications set forth by the Civil Service Commission, the

1 Veterans Affairs Officer must be knowledgeable and trained in the filing of  
2 various benefit claims available to the veterans.

3 **Section 11. A New Section 67106.** A new Section 67106 is added to Title  
4 10 Guam Code Annotated to Read:

5 “§67106. **Guam Veterans Commission.** There is hereby  
6 established in the Office of Veterans Affairs a Guam Veterans Commission  
7 that shall consist of five (5) members. One (1) each from the five (5)  
8 Recognized Service Organization, current Recognized Service Organization  
9 are: American Legion, Veterans of Foreign Wars, Military Order of the Purple  
10 Heart, Vietnam Veterans of America and the Disabled American Veterans.  
11 The Commander of each Recognized Service Organization shall be the  
12 representative. The position will be held for the term of the Commander and  
13 not to exceed two (2) years. If re-elected, the service organization will  
14 appoint, by Chapter Executive Council vote, the successor during the term of  
15 the incumbent Commander.

16 The Commission shall meet quarterly and shall advise the Veterans  
17 Officer regarding matters affecting Veterans and eligible claimants regarding  
18 Veterans Administration related issues. The Commission shall provide  
19 veterans and their families with the opportunity to air grievances for the  
20 purpose of effecting corrective action or change to existing policies that affect  
21 delivery of benefits and services to the Guam Veteran population. The  
22 members of the Commission are volunteers and shall not receive any  
23 compensation.



1           **Section 12. Amendment to Subsection (1) of Section 65101 Chapter 65**  
2 **Division 3 of Title 10 Guam Code Annotated.** Subsection (1) of Section 65101  
3 Chapter 65 Division 3 of Title 10 Guam Code Annotated is amended to read:

4           “§65101. Purpose. (1) to create within the ~~Department of Military~~  
5 ~~Affairs~~ Office of the Governor an office of ~~Civil Defense~~ Guam Homeland  
6 Security for Guam;

7           **Section 13. Effective Date.** This Act shall be effective upon signing by *I*  
8 *Maga'lahaen Guåhan.*

*2nd*  
*6/7/05*

*3rd*  
*6/7/05*

**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2005 (FIRST) Regular Session**

**Bill No. 113 (EC)**

As Substituted by the Committee  
On Judiciary, Governmental Operations,  
And Reorganization

Introduced by:

A. R. Unpingco

Mark Forbes

J. M. M. S Brown ✓

R. Klitzkie

J. Won Pat

*L. Kasparbauer*

**AN ACT TO AMEND SECTIONS 63102 AND 63204  
DIVISION 3 OF CHAPTER 63 ARTICLE 1 TITLE 10,  
GUAM CODE ANNOTATED; TO AMEND  
SECTIONS 67100, 67101, 67102, 67103, DIVISION 3  
CHAPTER 67 TITLE 10, GUAM CODE  
ANNOTATED; TO ADD NEW SECTION 67105  
AND SECTION 67106 TO DIVISION 3 TITLE 10,  
GUAM CODE ANNOTATED RELATIVE TO THE  
OFFICE OF VETERANS AFFAIRS; AMEND  
SUBSECTION (1) OF SECTON 65101 AND  
SECTION 65103 AND REPEAL SECTIONS 65105  
AND SECTION 65106 OF CHAPTER 65 DIVISION 3  
OF TITLE 10 GUAM CODE ANNOTATED,  
RELATIVE TO THE OFFICE OF CIVIL DEFENSE.**

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

1           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
2 that the demand for services by the Veterans of Guam are not being met by  
3 the current organizational structure under which the Office of Veterans  
4 Affairs is mandated to operate. The Office of Veterans Affairs has never  
5 realized its potential of providing a data base of military occupational  
6 specialties of local veterans which, if needed, could be identified to provide  
7 the manpower needed to reinforce the needs of government of Guam agencies  
8 responding to emergencies caused by natural or manmade disasters. The  
9 Office of Veterans Affairs cannot even provide a list identifying all veterans  
10 on Guam. It is the intent of *I Liheslaturan Guåhan* to create an Office of  
11 Veterans Affairs within the office of *I Maga'lahaen Guåhan*. The Guam Office of  
12 Veterans Affairs is only authorized by Federal statute to process initial claims  
13 application; the process to appeal any decisions made by the Federal Veterans  
14 Affairs Office could only be made through one (1) of the five (5) Recognized  
15 Service Organizations. The creation of the Guam Veterans Commission  
16 comprised of a representative from each of the five (5) Recognized Service  
17 Organizations gives our local veterans an instantaneous and seamless access  
18 to the appeals process.

19           *I Liheslaturan Guåhan* further finds that while there is commonality  
20 between the Department of Military Affairs and the Office of Civil Defense  
21 with regards to planning for response to emergencies resulting from natural  
22 or manmade disasters, federal regulations prohibit the Adjutant General from

1 serving both the Army National Guard and the Office of Civil Defense when a  
2 Federal State of Emergency is declared. This required either the appointment  
3 of an Assistant Adjutant General or an Acting Adjutant General. With  
4 assisting the Office of Homeland Security being added to the duties and  
5 responsibilities of the Office of Civil Defense, to be more responsive, the office  
6 must be situated within the office of *I Maga'lahaen Guåhan*. It is therefore the  
7 intent of *I Liheslaturan Guåhan* to locate the Office of Civil Defense within the  
8 office of *I Maga'lahaen Guåhan*.

9 **Section 2. Amendment to Section 63102.** Section 63102 Division 3  
10 Chapter 63 Article 1 of Title 10 Guam Code Annotated is amended to read:

11 **"§ 63102. Management of the Guam National Guard, ~~and the~~**  
12 **~~Office of Civil Defense and the Office of Veterans Affairs.~~** The Department  
13 of Military Affairs shall be responsible for the management of all elements of  
14 the Guam National Guard not in active service of the United States ~~the Office~~  
15 ~~of Civil Defense and the Office of Veterans Affairs."~~

16 **Section 3. Amendment to Section 63204.** Section 63104 Division 3  
17 Chapter 63 Article 1 of Title 10 Guam Code Annotated is amended to read:

18 **"§ 62204. Headquarters Staff.** The headquarters staff of the  
19 Department of Military Affairs shall consist of the Adjutant General, the  
20 Assistant Adjutants General for Army and Air, ~~the Administrator of the Office~~  
21 ~~of Civil Defense, and the Administrator of the Office of Veterans Affairs,~~ and

1 such other offices as the Adjutant General, with the approval of *I Maga'lahren*  
2 *Guåhan*, shall establish."

3 **Section 4. Amendment to Section 67100.** Section 67100 Division 3  
4 Chapter 67 of Title 10 Guam Code Annotated is hereby amended to read:

5 "§ 67100. **Creation of Office.** There is within the Office  
6 ~~Department of Military Affairs~~ Office of *I Maga'lahren Guåhan* an Office of  
7 Veterans Affairs. The Veterans Affairs Officer is a member of the classified  
8 service and is the administrative head of the Office of Veterans Affairs subject  
9 to the direction and control of ~~the Adjutant General~~ *I Maga'lahren Guåhan*, who  
10 is the appointing authority. ~~This Section shall be effective upon the~~  
11 ~~establishment of the pay range by the Civil Service Commission."~~

12 **Section 5. Amendment to Section 67101.** Section 67101 Division 3  
13 Chapter 67 of Title 10 Guam Code Annotated is hereby amended to read:

14 "§ 67101. **Definitions.** As used in this Chapter:

15 (a) Officer means Veterans Affairs Officer.

16 (b) Office means the Office of Veterans Affairs.

17 (c) Veteran includes veterans of the Guam Combat Patrol, ~~and~~ the  
18 United States Navy Insular Force, Philippine Scouts and the  
19 United States Armed Forces."

20 **Section 6. Amendment to Section 67102.** Section 67102 Division 3  
21 Chapter 67 of Title 10 Guam Code Annotated is hereby amended to read:

1           “§67102. **Purpose of Office.** The Office shall be responsible for the  
2 administration of all local laws respecting veterans of the Armed Forces of the  
3 United States. It shall also be that agency of the government of Guam charged  
4 with the responsibility of cooperation with the Veterans Administration of the  
5 United States in all matters relating to local veterans. The office shall assist  
6 every veteran of Guam and the dependent or survivor of every veteran of  
7 Guam in presenting and pursuing such claim as the veteran, dependent, or  
8 survivor may have under current federal law governing VA benefits arising  
9 out of qualifying military service and in establishing the veteran’s,  
10 dependent’s or survivor’s right to any privilege, preference, care of  
11 compensation provided for by the laws of the United States or of Guam. The  
12 processing of claims for veterans and their dependents and survivors shall be  
13 limited to the initial claim. The claims may include the following types of  
14 benefits and service:

- 15                   1. Disability compensation benefits
- 16                   2. Disability pension benefits
- 17                   3. Dependents’ indemnity compensation
- 18                   4. Widow’s death pension
- 19                   5. Burial benefits
- 20                   6. Confirmed and continued claims
- 21                   7. Vocational rehabilitation and education
- 22                   8. Waivers of indebtedness

1                   9. Other benefits that result in monetary awards to the  
2                                   claimant.

3           It shall furnish staff services for Guam veterans and shall cooperate with  
4 all local veterans organizations.”

5           **Section 7. Amendment to Section 67103.** Section 67103 Division 3  
6 Chapter 67 of Title 10 Guam Code Annotated is hereby amended to read:

7           **“§ 67103. Powers and Duties of Officer.** The officer:

- 8                   1. shall administer the office and implement the provisions set  
9                                   forth in Section 67102 above;
- 10                   2. shall exercise and discharge the duties of the office through  
11                                   such organizational units as he may establish;
- 12                   3. shall enforce the provisions of this Chapter and of any other  
13                                   laws granting him jurisdiction pertaining to veterans of the  
14                                   armed forces of the United States;
- 15                   4. may administer and certify oaths and affirmations take and  
16                                   certify affidavits and acknowledgments, and exercise any  
17                                   other power of a notary public, but only as part-of his duties  
18                                   under this Chapter and neither he nor his office shall charge  
19                                   any fee for such certification or notarial service;
- 20                   5. may formulate and adopt rules necessary or proper for the  
21                                   internal administration of the office; and

1           6. may study and plan for the establishment of a Territorial  
2           Veterans Cemetery, seeking such assistance, advice and  
3           support from the armed forces of the United States, the  
4           federal Veterans Administration, other local and federal  
5           agencies and veterans and veterans organizations.

6           7. shall accept and consider the recommendations of the Guam  
7           Veterans Commission.”

8           **Section 8. Appropriation in effect.** Funds appropriated under Public  
9           Law 27-126 to the Veterans Affairs Office shall continue to be available until  
10          the repair and renovation of Guam Housing and Urban Renewal Authority  
11          Lot 8, Block 19, Tract 2025 is completed.

12          **Section 9. Amendment to Public Law 27-106.** Public Law 26-106  
13          Chapter 4 Section 25 is amended to read:

14          “§25. Appropriation to the ~~Department of Military Affairs for~~ Office of  
15          Veterans Affairs. The sum of Two Hundred Seventy Thousand Dollars  
16          (\$270,000.00) is hereby appropriated from the General Fund to the Office of  
17          Veterans Affairs for the purpose of hiring ~~three (3) Veterans Service~~  
18          ~~Representatives~~ sufficient personnel to expedite the processing of Veteran  
19          benefit applications, as well as for rent and utilities needed to permit  
20          expansion of office space and service area for the Office of Veterans Affairs,  
21          and for a public information campaign to encourage Veterans to apply for  
22          benefits.



1           **Section 10. A New Section 67105.** A new Section 67105 Division 3  
2 Chapter 67 is added to Title 10 Guam Code Annotated to Read:

3           “§67105. Guam Veterans Commission. There is hereby  
4 established in the Office of Veterans Affairs a Guam Veterans Commission  
5 that shall consist of five (5) members, one (1) each from the five (5)  
6 Recognized Service Organizations, current Recognized Service Organizations  
7 are: American Legion, Veterans of Foreign Wars, Military Order of the Purple  
8 Heart, Vietnam Veterans of America and the Disabled American Veterans.  
9 The Commander of each Recognized Service Organization shall be the  
10 representative. The position will be held for the term of the Commander but  
11 not to exceed two (2) years. If the Commander’s term exceeds two years, the  
12 service organization shall appoint, by Chapter Executive Council vote a  
13 successor to serve during the term of the incumbent Commander. Should a  
14 Recognized Service Organization have more than one Chapter, then the  
15 membership within the Commission shall be rotated among the Chapters.

16           The Commission shall meet quarterly and shall advise the Veterans  
17 Affairs Officer regarding matters affecting Veterans and eligible claimants  
18 regarding Veterans Administration related issues. The Commission shall  
19 provide veterans and their families with the opportunity to air grievances for  
20 the purpose of effecting corrective action or change to existing policies that  
21 affect delivery of benefits and services to the Guam Veteran population. The

1 members of the Commission are volunteers and shall not receive any  
2 compensation."

3 **Section 11. A New Section 67106.** A new Section 67106 Division 3  
4 Chapter 67 is added to Title 10 Guam Code Annotated to read:

5 "§67106. Vacancy. When the position of Veterans Affairs Officer, Office  
6 of Veterans Affairs is vacant or vacated, the Guam Veterans Commission may  
7 recommend a nominee to *I Maga'lahaen Guåhan* from a list of eligible  
8 applicant(s) provided by the Department of Administration."

9 **Section 12. Amendment to Subsection (1) of Section 65101 Chapter**  
10 **65 Division 3 of Title 10 Guam Code Annotated.** Subsection (1) of Section  
11 65101 Chapter 65 Division 3 of Title 10 Guam Code Annotated is amended to  
12 read:

13 "§65101. Purpose. (1) to create within the ~~Department of Military~~  
14 ~~Affairs~~ Office of *I Maga'lahaen Guåhan* an office of Civil Defense for Guam;"

15 **Section 13. Amendment to Section 65103 Chapter 65 Division 3 of**  
16 **Title 10 Guam Code Annotated.** Section 65103 Chapter 65 Division 3 of Title  
17 10 Guam Code Annotated is amended to read:

18 **"§65103. Office of Civil Defense: Creation; Administrator;**  
19 **Personnel.** There is hereby located within the ~~Department of Military Affairs~~  
20 Office of *I Maga'lahaen Guåhan* an Office of Civil Defense with an Administrator  
21 of Civil Defense, hereinafter called the "Administrator," who shall be a  
22 member of the classified service and is the administrative head of the Office of

1 Civil Defense, subject to the direction and control of the ~~Adjutant General I~~  
2 *Maga'lahaen Guåhan*. ~~This section shall be effective upon the establishment of~~  
3 ~~the pay range by the Civil Service Commission.~~

4 The Administrator, with the approval of ~~the Adjutant General I~~  
5 *Maga'lahaen Guåhan*, may employ such technical, clerical, stenographic and  
6 other personnel and may make such expenditures within the appropriation  
7 therefore, or from other funds made available to him for purposes of civil  
8 defense, as may be necessary to carry out the purposes of this Chapter.

9 The Administrator and other personnel of the Office of Civil Defense  
10 Agency shall be provided with appropriate office space, furniture, equipment,  
11 motor vehicles, supplies, stationery and printing in the same manner as are  
12 provided for personnel of other Guam agencies.

13 The Administrator, subject to the direction and control of ~~the Adjutant~~  
14 ~~General I~~ *Maga'lahaen Guåhan*, shall be the administrative head of the Office of  
15 Civil Defense and shall be responsible to ~~the Adjutant General I~~ *Maga'lahaen*  
16 *Guåhan* for carrying out the program for the civil defense of Guam. He shall  
17 Coordinate the activities of all organizations for civil defense within Guam,  
18 and shall maintain liaison with and cooperate with civil defense agencies and  
19 organizations and the Armed Force of the Federal government, and shall have  
20 such additional authority, duties and responsibilities as are authorized by this  
21 Chapter, or as may be prescribed by ~~the I~~ *Maga'lahaen Guåhan*."

1           **Section 14. Repeal of Section 65105 Chapter 65 Division 3 of Title 10**  
2 **Guam Code Annotated.** Section 65105 Chapter 65 Division 3 of Title 10  
3 Guam Code Annotated is hereby repealed in its entirety.

4           **Section 15. Repeal of Section 65106 Chapter 65 Division 3 of Title 10**  
5 **Guam Code Annotated.** Section 65106 Chapter 65 Division 3 of Title 10  
6 Guam Code Annotated is hereby repealed in its entirety.

## COMMITTEE REPORT

**BILL NO. 113(EC) AN ACT TO AMEND SECTIONS 63102 AND 63204 DIVISION 3 OF CHAPTER 63 RTICLE 1 TITLE 10 GUAM CODE ANNOTATED; TO AMEND SECTIONS 67100, 67101, 67102,67103 DIVISION 3 CHAPTER 67 TITLE 10 GUAM CODE ANNOTATED; TO ADD NEW SECTION 67105 AND SECTION 67106 TO DIVISION 3 TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF VETRANS AFAIRS; AMEND SUBSECTION 1) OF SECTION 65101 AND SCTION 65103 AND REPEAL SECTIONS 65105 AND SECTION 65106 OF CHAPTER 65 DIVISION 3 OF TITOLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE**

## INTRODUCTON AND REFERAL

Bill No. 113(EC), "AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTIN (1) OF SECTION 65101 CHAPTER 64 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE", was introduced by A.R. Unpingco, M. Forbes, J.M.S. Brown, R. Klitzkie and J. Won Pat on April 4, 2005. The Committee on Calendar subsequently referred the bill to the Committee on Judiciary, Governmental Operations & Reorganization on April 5, 2005.

## PUBLIC HEARING

On April 15, 2005, a public hearing was conducted by the Committee on Judiciary, Governmental Operations & Reorganization on Bill No. 113(EC). Committee Chairman Robert Klitzkie called the public hearing to order at 9:00 a.m. in the Legislative Public Hearing Room. Committee members present were: Senator Adolpho B. Palacios, and Speaker Mark Forbes. Non-Committee members present were Senator Lawrence F. Kasperbauer and Vice Speaker Joanne M.S. Brown.

Chairman Klitzkie called the following persons forward to provide public testimony on Bill No. 113(EC):

1. Ms. Barbara McCarran
2. Mr. Jeffery Raker
3. Mr. Juan Finona
4. Ms. Bea Taitano-Cruz
5. Ms. Cynthia Gogo
6. Mr. Frank Flores
7. Mr. Fred Gofigan
8. Mr. Ivan Babauta

## SUMMARY OF TESTIMONY

Ms. Barbara McCarran identified herself as a wife of a deceased Viet Nam vet and active DIC claimant and proceeded to read her testimony in favor of Bill No. 113(EC).

Jeffery Raker identified himself as the representative of Post 1 of the American Legion, Guam and the Pacific Area Special Forces Association. Mr. Raker stated that most of the problem is with the office being overloaded with paper work and not enough qualified staff to help out. Mr. Raker stated that he fully supports all sections of the bill. He further stated that he knew of two individuals who after waiting a long time to get their

applications processed, relocated to the Philippines and got their approval for 100% benefits there. He feels that veterans should not have to go off-island and questions why approvals could not be done locally. Mr. Raker is in favor of the passage of Bill No. 113(EC).

Mr. Juan Finona identified himself as the President of the Viet Nam Veterans of America Chapter 62. He stated that he is in favor of Bill No. 113(EC) but would like to include an item (h) in section 7 to read: (h). Accommodate veterans from the CNMI when they come to Guam for treatment at the Naval Hospital. Mr. Finona strongly believes that the Office of Veterans Affairs should accommodate veterans from the Rota, Tinian and Saipan when they come to Guam for medical treatment at the Naval Hospital.

Bea Taitano-Cruz introduced herself as a member of Project Guiding Light, a non-profit organization formed to assist veterans. Since November 2004, the organization has counseled over 200 veterans. They have volunteered their services to educate the veterans on the services that they may be entitled to. They assist them in the processing of claims and have assisted them in the process of obtaining the medical services that they need. Ms. Taitano-Cruz stated that she is a surviving spouse of a veteran and feels that the Office of Veterans Affairs is responsible for her husband not receiving the Military Burial that he was entitled to. She feels that her participation with Project Guiding Light will bring honor to the memory of her husband and to all the veterans on Guam. She then asked the Chair if she could introduce the mentor of Project Guiding Light to continue with the presentation. Chairman Klitzkie then asked her if she supported Bill No. 113(EC), Ms. Taitano-Cruz replied in the affirmative.

Cynthia Gogo the Administrative Assistant of the Office of Veterans Affairs presented an emotional testimony highlighting the lack of funding and manpower. She herself has sacrificed for the Office of Veterans Affairs, while all agencies have been paying their employees their increment; she has yet to receive hers. The Department of Military Affairs has only visited her office twice since they took over and she has not received any assistance from the department. She has been pleading with everyone for assistance but all they got was a license plate for the veterans. She acknowledges that people including Project Guiding Light have been volunteering to help the office and she appreciates their assistance. She supports passage of Bill No. 113(EC). Chairman Klitzkie thanked Ms. Gogo and hopes that her impassioned testimony will result in her not having to work under those conditions after the bill passes.

Mr. Frank Flores identified himself as the founder of all seven Project Guiding Light Chapters. He is in support of Bill No. 113(EC) because it identifies the duties and responsibilities of the Administrator and will provide additional staff to assist the veterans.

Mr. Fred Gofigan, interim Administrator of the Office of Veterans Affairs read his prepared testimony in support of Bill No. 113(EC)

Mr. Ivan Babauta was the last person on the list to testify. Mr. Babauta testified in favor of Bill No. 113(EC).

## DISCUSSION

After reading her written testimony Chairman Klitzkie asked Ms. McCarran if her dissatisfaction with the current set-up is that the Office of Veterans Affairs does not service the veterans? She replied that the current office does not do a thing for the veterans. Chairman Klitzkie then asked her if it is her hope that if this bill passes and Veterans Affairs is under the Governor's would she get better representation and that service would improve? Ms. McCarran replied in the affirmative because one of the things that she agreed with in the bill is the section that requires a representative from each of the service organizations.

Sen. Palacios asked if Mr. Finona knew the number of veterans in the CNMI, Mr. Finona replied that he did not know the number. Sen. Palacios proceeded to ask Mr. Finona if he know of any specific problems currently being experienced by the veterans with regard to services being rendered. Mr. Finona replied that the bill will provide additional staff and that will address any problems. While Sen. Palacios was specifically inquiring how this bill will help the veterans, Mr. Finona was more concern with the inclusion that assistance for fellow veterans from the CNMI will be included in the bill. Chairman Klitzkie assured Sen. Palacios that other veterans that have yet to submit their testimony would address his question. Chairman Klitzkie then called on the next person to testify.

Sen. Palacios asked Ms. Taitano-Cruz if she knew if the Office of the Governor would support the transfer of the Veterans Affairs Office to his office and if the Department of Military Affairs would support such a transfer out of their department? Ms. Taitano-Cruz stated that she is made to understand that the Governor supports such a transfer but she does not know the reaction of the Department of Military Affairs.

Sen. Kasperbauer then asked Ms. Taitano-Cruz what is Project Guiding Light? She stated that Project Guiding Light is a network of seven (7) organizations in the west coast. It is a group of veterans volunteering their time to help other veterans. They educate the veterans and their families on the benefits that they are entitled to, they assist the veterans in getting to the clinics for treatment, they assist the veterans in filling out their claims forms. Sen. Kasperbauer related that his father is a veteran of WW1 and he is sensitive on the subject of veteran's benefits. Sen. Kasperbauer wanted to know what is the problem, why is it not working? Ms. Taitano-Cruz stated that the Veterans Affairs Office lacks the manpower, trained and education of the Veterans Administration process. If transferred to the Office of the Governor, it will highlight the importance placed on the commitment to the veterans by this government. Since her involvement with Project Guiding Light, she has never seen anyone from Military Affairs come to the office in Tiyan or ask Project Guiding Light for any assistance.



Speaker Forbes proceeded to provide some history on the Office of Veterans Affairs. He stated that the Office of Veterans Affairs was originally with the Office of the Governor before it was transferred to Military Affairs. It had the same problems then as they have know but he feels that with the heightened awareness brought on by Project Guiding Light that the move to return the Office of Veterans Affairs back to the Governors Office might succeed in providing better service to the veterans. Speaker Forbes is also responsible for increasing the budget to allow for the hiring of Benefits Specialist and funds to rehabilitate a building in Asan so the Office of Veterans Affairs would have a friendlier environment to operate out of.

Vice-Speaker Brown thanked Ms. Gogo for her testimony and recalls the time she took her father to the Veterans Affairs Office. Her father, who is a Navy retiree and a Viet Nam war veteran was hesitant to visit the office but once convinced by the Vice-Speaker, he was able to receive some assistance from the VA. The Vice-Speaker noted that the office lacked manpower and supplies and while there are volunteers helping, Ms. Gogo was the only trained personnel there. Vice Speaker Brown informed Ms. Gogo that it was she (Vice Speaker Brown) who authored the Public Law that authorized the creation of the Veteran License Plate and that it does bring honor to he Veterans.

Speaker Forbes recalled the conversation he had with Ms. Gogo which resulted in his introducing an amendment to the FY 05 budget to fund the hiring of additional Benefits Specialist and to lease office space to accommodate their needs. He inquired as to the status of new hiring and to the prospects of leasing office space to accommodate the needs. Ms. Gogo replied that personnel vacancy announcements have been made and the funds for the office lease have been released.

Sen. Palacios asked Mr. Gofigan if the Office of Veterans Affairs would have sufficient staff to accommodate the number of veterans seeking assistance. Mr. Gofigan stated that they are currently recruiting three staffers and Bill 113 will fund the recruitment of two additional staffers. Once filled, there will be sufficient staff to handle the workload. Sen. Palacios then asked if Mr. Gofigan would support paying a stipend to the volunteers. Mr. Gofigan replied that he does not support the payment of stipend because the office has limited resources.

There being no other questions, the hearing on Bill No.113 (EC) was concluded.

### **COMMITTEE FINDINGS**

The Committee on Judiciary, Governmental Operations and Reorganization find that there is a need to reorganize the Department of Military Affairs by removing the Office of Veterans Affairs and the Office of Civil Defense from its jurisdiction and transferring them to the Office of the Governor and having the Office of Veterans Affairs hire the additional staffers that they are authorized to hire so they could start processing veterans benefits claims. There is an active and proud veterans community on island as evidenced

by the number of automobile license plates issued. There are over two thousand three hundred (2300) veterans license plates issued with some veterans registering the maximum of two (2) vehicles. On the topic of assisting Veterans from the CNMI, it is up to the Governor's of each jurisdiction to enter into a Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA) to assist Veterans whenever they travel between jurisdictions. The Committee also finds that there are volunteers willing to help the Office of Veterans Affairs educate the veterans on all the benefits that they are entitled to.

### **COMMITTEE RECOMMENDATION**

The Committee on Judiciary, Governmental Operations and Reorganization recommends that Bill No.113 (EC) as substituted by the Committee on Judiciary, Governmental Operations, and Reorganization be reported out to the full body with a recommendation **TO DO PASS.**



*I Mina' Bente Ocho Na Liheslaturan Guahan*  
**Committee on Judiciary, Governmental Operations, & Reorganization**

**MINUTES**

[Prepared by Audrey Punzalan on 4/20/2005 @ 10:36am]

**Date:** April 15, 2005

**Location:** Guam Legislature – Public Hearing Room  
155 Hesler Street Hagatna, Guam

**Called to order by Senator Robert Klitzkie, Chairman, at 9:00am**

**Senators present:**

Senator Robert Klitzkie, Chairman  
Senator Adolpho Palacios, Member  
Senator Larry Kasperbauer, Member  
Senator Mark Forbes, Ex-Officio  
Senator Joanne Brown

**Bills on agenda:** Bill 14 (LS); Bill 88 (EC); Bill 98 (EC); Bill 113 (EC)

**Bill 14 (LS) heard at 9:00am**

**Description:** AN ACT TO ADD A NEW CHAPTER 2A TO 5 GCA; TO REPEAL 1 GCA §1800, CHAPTER 11 OF 5 GCA; TO ESTABLISH EDUCATION, HEALTH AND PUBLIC SAFETY AS THE TOP PRIORITIES OF THE GOVERNMENT, TO RECOGNIZE THE GOVERNOR'S AUTHORITY TO REORGANIZE THE EXECUTIVE BRANCH OF THE GOVERNMENT, TO REMOVE IMPEDIMENTS TO REORGANIZATION, TO PROVIDE THE GOVERNOR THE TOOLS NECESSARY FOR SUCH REORGANIZATION AND PRIORITIZATION AND TO ENACT THE GOVERNMENT PRIORITIES ACT OF 2005. **AS SUBSTITUTED BY AUTHOR**

**Testimony:**

- No individuals signed-in to present testimony on Bill 14

**Bill 113 (EC) heard at 9:00am**

**Description:** AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE.

**Testimony:**

- Barbara McCarron, representing self, testified in favor of Bill 113 @ 9:00am.  
- Jeffrey Raker, speaking on behalf of his fellow veterans in Post I of the American Legion on Guam and the Special Forces Association Chapter 46, testified in favor of Bill 113 @ 9:09am  
- Juan Finona, President of the Vietnam Veterans of America Chapter 668 Guam, testified in favor of Bill 113 @ 9:12am

- Bee Taitano-Cruz, Member of non-profit organization, Project Guiding Light, testified in favor of Bill 113 at @ 9:20am
- Cynthia Gogo, Administrative Assistant at the Veterans Affairs Office @ 9:49am
- Frank Flores, Retired Veterans Advocate & Founder of Project Guiding Light, testified in favor of Bill 113 @ 10:18am
- Fred Gofigan, Interim Administrator of Veteran Affairs, testified in favor of Bill 113 @ 10:22am
- Ivan Babauta, Veterans Advocate, testified in opposition of Bill 113 @ 10:32am
- Comments and questions on Bill 113 were presented to the panel by Senators Klitzkie, Senator Palacios, Senator Kasperbauer, Senator Forbes, and Senator Brown

**Bill 88 (EC) heard at 10:42am**

**Description:** AN ACT TO REPEAL AND RE-ENACT SECTION 2. TITLE 12, CHAPTER 14, SECTION 14109.5 OF THE GUAM CODE ANNOTATED.

**Testimony:**

- Speaker Forbes remarked on the intent and history of Bill 88 @ 10:44am. Forbes commented on the progress of Bill 88 and referenced the work that is being done to correct resolve the outstanding issues in the bill. In response were the following:
  - David Craddick, General Manager for Guam Waterworks Authority, testified @ 10:47am and stated that he did not have anything additional to add to the comments of Speaker Forbes
  - Sam Taylor, Guam Waterworks Authority, testified @ 10:47am and stated that he did not have anything additional to add to the comments of Speaker Forbes
  - Vern Perez, Executive Director of Civil Service Commission, testified at 10:47am and stated that he did not have anything additional to add to the comments of Speaker Forbes
- Comments were presented to the panel by Speaker Forbes, Senator Brown, and Senator Palacios.

**Bill 98 (EC) heard at 10:55am**

**Description:** AN ACT TO AUTHORIZE THE CREATION OF THE TUMON BAY SPECIAL IMPROVEMENT DISTRICT

**Testimony:**

- Michael Ysrael, General Manager of various companies in the Tumon area, testified in opposition of Bill 98 @ 10:56am
- Comments and questions presented to the panel by Senator Palacios and Senator Brown.

## Declaration Under Penalty of Perjury of Audreya Punzalan

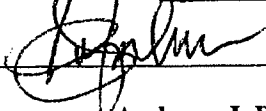
- 1.) I am employed as a Legislative Aide at the Office of Senator Robert Klitzkie.
- 2.) I was assigned the duty of disseminating a "Notice of Public Hearing" (Appendix A) to each newspaper of general circulation and all broadcasting stations which air a regular local news program within Guam.
- 3.) In such notice I included all information (Appendix A) required by the Open Government Law, Title 5 GCA Sections 8101 thru 8116.
- 4.) I e-mailed notice to all local media (Appendix B: Media E-mail Listing) on April 8, 2005 (5 working days prior to hearing) in accordance with 5 GCA § 8108.
- 5.) I e-mailed a "Revised Notice of Public Hearing" to all local media (Appendix B: Media E-mail Listing) on April 13, 2005 (48 hours prior to hearing) in accordance with 5 GCA § 8108. The revised notice indicated that Bills 92, 102, and 103 were cancelled on the April 15<sup>th</sup> public hearing agenda per request by the authors.
- 6.) I e-mailed notice to members of the Committee on Judiciary, *etc.* (Appendix C: Committee Member E-mails) on March 30, 2005, April 7, 2005 and April 12, 2005.
- 7.) I e-mailed notice to Speaker Mark Forbes ([speakerforbes@yahoo.com](mailto:speakerforbes@yahoo.com)) on March 30, 2005, April 7, 2005 and April 12, 2005 for posting on the Legislatures Calendar, which can be accessed at the official website of the Guam Legislature ([www.guamlegislature.com](http://www.guamlegislature.com)), in accordance with 5 GCA § 10306.
- 8.) I e-mailed a "Notice of Public Hearing" on April 7, 2005 and April 12, 2005 to all senators, the Clerk of the Legislature, and the Legislative Counsel.
- 9.) On April 11 and 14, I confirmed that e-mails had been successfully delivered to all recipients. I obtained current contact information and updated e-mail addresses which indicated a bounce back of the "Notice of Public Hearing." I resent the "Notice of Public Hearing" to the corrected e-mail addresses.
- 10.) I caused notice on [www.bobsoffice.org](http://www.bobsoffice.org), website for the Committee on Judiciary, *etc.*, on April 8, 2005 (5 working days prior to hearing) in accordance with 5 GCA § 10306.
- 11.) Copies of all e-mail notices are on file at the Office of Senator Robert Klitzkie.

### Declaration Under Penalty of Perjury

#### 6 GCA Section 306

I declare under penalty of perjury that the foregoing is true and correct,

Executed on April 18, 2005 on Guam by

  
\_\_\_\_\_  
(signature)

Audreya J. Punzalan

**APPENDIX A: NOTICE OF PUBLIC HEARING**



*I Mina' Bente Ocho Na Liheslaturan Guahan*  
**Committee on Judiciary, Governmental Operations,  
& Reorganization**

[www.bobsoffice.org/judiciary](http://www.bobsoffice.org/judiciary)

**NOTICE OF PUBLIC HEARING**

A public hearing will be held on Friday, April 15, 2005 at 9:00am in the Guam Legislature's public hearing room located at 155 Hesler Place in Hagatna. The public is invited to present oral and/or written testimony. The following bills will be heard:

**BILL 14 (LS)** AN ACT TO ADD A NEW CHAPTER 2A TO 5 GCA; TO REPEAL 1 GCA §1800, CHAPTER 11 OF 5 GCA; TO ESTABLISH EDUCATION, HEALTH AND PUBLIC SAFETY AS THE TOP PRIORITIES OF THE GOVERNMENT, TO RECOGNIZE THE GOVERNOR'S AUTHORITY TO REORGANIZE THE EXECUTIVE BRANCH OF THE GOVERNMENT, TO REMOVE IMPEDIMENTS TO REORGANIZATION, TO PROVIDE THE GOVERNOR THE TOOLS NECESSARY FOR SUCH REORGANIZATION AND PRIORITIZATION AND TO ENACT THE GOVERNMENT PRIORITIES ACT OF 2005. **AS SUBSTITUTED BY AUTHOR**

**BILL 88 (EC)** AN ACT TO REPEAL AND RE-ENACT SECTION 2. TITLE 12, CHAPTER 14, SECTION 14109.5 OF THE GUAM CODE ANNOTATED.

~~**BILL 92 (EC)** AN ACT TO RECRUIT AND RETAIN DEPARTMENT OF EDUCATION TEACHERS, BY ADDING A NEW CHAPTER 5C TO DIVISION 1 OF TITLE 17, GUAM CODE ANNOTATED. **CANCELLED PER REQUEST BY AUTHOR**~~

**BILL 98 (EC)** AN ACT TO AUTHORIZE THE CREATION OF THE TUMON BAY SPECIAL IMPROVEMENT DISTRICT.

~~**BILL 102 (EC)** AN ACT TO ADD NEW ARTICLE 3, CHAPTER 3, DIVISION 4, TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF SCHOOL COMMUNITY-BASED MANAGEMENT. **CANCELLED PER REQUEST BY AUTHOR**~~

~~**BILL 103 (LS)** AN ACT TO MANDATE FIREFIGHTERS TO EARN AN EMERGENCY MEDICAL SERVICES CERTIFICATION, MORE SPECIFICALLY, AN EMT-BASIC OR AN EMT-PARAMEDIC. **CANCELLED PER REQUEST BY AUTHOR**~~

**BILL 113 (EC)** AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE.

**\*Written testimony can be submitted via e-mail to [judiciary@bobsoffice.org](mailto:judiciary@bobsoffice.org)**

**For ADA assistance, please contact the Office of Senator Robert Klitzkie at (671) 472-9355 ext. 3 or send request via email to [judiciary@bobsoffice.org](mailto:judiciary@bobsoffice.org).**

## APPENDIX B: MEDIA E-MAIL LISTING

| <b>Notice to all media :<br/>Outlet Managers, Publishers, Producers</b>  | <b>Notice to all media :<br/>News Directors, Editors, Reporters</b>  |
|--|--|
| <p><b><u>PRINT</u></b><br/>Marianas Variety – Amier Younis, Ops Mgr,<br/>amier@mvguam.com<br/>Directions – Jerry Roberts, Publisher,<br/>jroberts@directionsguam.com<br/>Guam Business – Steve Nygard, Publisher,<br/>snygard@glimpses.guam.net<br/>Pacific Daily News – Government Meetings Section<br/>life@guampdn.com<br/>Marianas Business Journal – Steve Nygard, Publisher,<br/>snygard@glimpses.guam.net<br/>Guahan Magazine – Carlene Cooper-Nurse, Publisher,<br/>carlene@guahanmagazine.com<br/>Mabuhay News – Ritchie Lim, Publisher,<br/>mabuhaynews@yahoo.com<br/>Mariana’s Variety – Ad Section , ads@mvguam.com</p> <p><b><u>TV</u></b><br/>KUAM Ch. 8 – generalmanager@KUAM.com<br/>KUAM Ch. 11 – generalmanager@KUAM.com<br/>ABC 14 – David Larson, Gen Mgr, david@go14.tv<br/>KGTF – kgtf12@ite.net</p> <p><b><u>RADIO</u></b><br/>K57 – Ray Gibson, General Mgr, rgibson@k57.com<br/>Power98 – Roque Aguon, General Mgr,<br/>raguon@power98.com<br/>105 Rock – Albert Juan, General Mgr,<br/>ajuan@105therock.com<br/>I-94 FM – Fredalynn Mortera Hecita,<br/>fredalynn@kuam.com<br/>610 AM – Ryan San Nicolas, ryan@kuam.com<br/>K-StereO – Ed Poppe, General Mgr, ksto@ite.net<br/>KISH (102.9 FM) – Ed Poppe, General Mgr, ksto@ite.net<br/>Hit Radio 100 – Vince Limuaco, Sales Mgr.,<br/>marketing@hitradio100.com<br/>KPRG (89.3 FM) – General Manager, kprg@kprg.org<br/>Harvest Family Radio – khmg@harvestministries.net<br/>KTKB – ktkb@ktkb.com<br/>KOLG 90.0 FM – Contact, chuck@kolg.org<br/>KTWG 800 AM – Ops Mgr , Kleilani63@hotmail.com</p> | <p><b><u>PRINT</u></b><br/>Pacific Daily News –Rindraty Limtiaco, Exec. Editor,<br/>rlimtiaco@guampdn.com<br/>Marianas Variety – Mar-Vic Cagurangan,<br/>marvic@mvguam.com<br/>Directions – Gennette Quan, Editor,<br/>editor@directionsguam.com<br/>Guam Business – Maureen Maratita, Editor,<br/>mmaratita@glimpses.guam.net<br/>Marianas Business Journal – Maureen Maratita, Editor,<br/>mmaratita@glimpses.guam.net<br/>Guahan Magazine – Jayne Flores, Editor,<br/>jayne@guahanmagazine.com<br/>Mabuhay News – Ritchie Lim, Editor<br/>mabuhaynews@yahoo.com<br/>Mariana’s Variety – Ad Section, ads@mvguam.com</p> <p><b><u>TV</u></b><br/>KUAM Ch.8 – Sabrina Matanane, News Dir,<br/>Sabrina@KUAM.com<br/>KUAM Ch. 11 – Sabrina Matanane, News Dir,<br/>Sabrina@KUAM.com</p> <p><b><u>RADIO</u></b><br/>I-94 FM – Fredalynn Mortera Hecita, News (Radio)<br/>fredalynn@kuam.com<br/>610 AM – Ryan San Nicolas, ryan@kuam.com<br/>K57, Power98, 105 Rock – Patty Arroyo, News Director,<br/>parroyo@k57.com<br/>K-StereO – Jean Hudson, News Director, kstonews@ite.net<br/>KISH (102.9 FM) – Jean Hudson, News Director,<br/>kstonews@ite.net</p> |

## APPENDIX C: COMMITTEE MEMBER E-MAILS

Senator Robert Klitzkie, Chairman  
Speaker Mark Forbes, Ex-Officio  
Senator Jesse A. Lujan, Member  
Senator Larry Kasperbauer, Ph.D., Member  
Senator Ray Tenorio, Member  
Senator Benjamin J.F. Cruz, Member  
Senator Adolpho B. Palcaios, Sr., Member

[bob@bobsoffice.org](mailto:bob@bobsoffice.org)  
[speakerforbes@yahoo.com](mailto:speakerforbes@yahoo.com)  
[jal@netpci.net](mailto:jal@netpci.net)  
[lk4kids@ite.net](mailto:lk4kids@ite.net)  
[ray@raytenorio.com](mailto:ray@raytenorio.com)  
[cjbjcruz@ite.net](mailto:cjbjcruz@ite.net)  
[patrickcepeda@hotmail.com](mailto:patrickcepeda@hotmail.com)

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 113(EC)**

**Bill Title (Preamble): AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE.**

| Department/Agency Appropriation Information                        |  |
|--|--|
| Dept./Agency Affected: <b>Military Affairs</b>                     | Dept./Agency Head: <b>Adjutant General Donald Goldhorn</b> |
| Department's General Fund (GF) appropriation(s) to date:           | \$1,086,968  |
| Department's Other Fund (specify): _____ appropriation(s) to date: | \$0  |
| <b>Total Department/Agency Appropriation(s) to date:</b>           | <b>\$1,086,968</b>   |

| Fund Source Information of Proposed Appropriation |                    |                  |                    |
|---|--------------------|------------------|--------------------|
|   | General Fund:      | Other (specify): | Total:             |
| FY 2005 Adopted Revenues                          | \$447,441,000      | \$0              | \$447,441,000      |
| FY Appro. to P.L. _____                           | (\$447,821,707)    | \$0              | (\$447,821,707)    |
| Sub-total:  | (\$380,707)        | \$0              | (\$380,707)        |
| Less appropriation in Bill                        | \$0                | \$0              | \$0                |
| <b>Total:</b>                                     | <b>(\$380,707)</b> | <b>\$0</b>       | <b>(\$380,707)</b> |

| Estimated Fiscal Impact of Bill |                      |   |             |            |             |            |
|---------------------------------|----------------------|---|-------------|------------|-------------|------------|
|                                 | One Full Fiscal Year | For Remainder of Current FY (if applicable) | Second Year | Third Year | Fourth Year | Fifth Year |
| General Fund                    | \$0                  | \$0   | \$0         | \$0        | \$0         | \$0        |
| Other Fund:                     | \$0                  | \$0   | \$0         | \$0        | \$0         | \$0        |
| <b>Total</b>                    | <b>\$0</b>           | <b>\$0</b>                                  | <b>\$0</b>  | <b>\$0</b> | <b>\$0</b>  | <b>\$0</b> |

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? // Yes  No   
 If no, what is the additional amount required? \$ \_\_\_\_\_ // Yes  No
3. Does the Bill establish a new program/agency? // Yes  No   
 If yes, will the program duplicate existing programs/agencies? // 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? // Yes  No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes  No   
 // Requested agency comments not received by due date // Other: \_\_\_\_\_

Analyst: [Signature] Date: \_\_\_\_\_ Director: Carlos P. Bordallo Date: 7-14-05  
 Carlos P. Bordallo, Acting

Footnotes: SEE ATTACHMENT



BILL 113 (EC) IS AN ACT TO AMEND SECTIONS 63102 AND 63204 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO CIVIL DEFENSE AND VETERANS AFFAIRS; TO AMEND SECTIONS 67100, 67101, 67102, 67103, 67104 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS; TO ADD NEW SECTIONS 67105 AND SECTION 67106 TO TITLE 10, GUAM CODE ANNOTATED RELATIVE TO VETERANS AFFAIRS AND TO AMEND SUBSECTION (1) OF SECTION 65101 CHAPTER 65 DIVISION 3 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE OFFICE OF CIVIL DEFENSE.

WHAT THIS BILL ESSENTIALLY IS DOING IS MOVING DUTIES AND RESPONSIBILITIES OF THE OFFICE OF VETERANS AFFAIRS FROM THE DEPARTMENT OF MILITARY AFFAIRS TO THE OFFICE OF THE GOVERNOR. THE BILL ALSO CREATES A VETERANS AFFAIRS OFFICER POSITION WHICH IS A CLASSIFIED POSITION THAT IS TO BE APPOINTED BY THE GOVERNOR AND SUBJECT TO THE CONSENT OF THE LEGISLATURE. PER THE CIVIL SERVICE COMMISSION, THE GOVERNOR CANNOT APPOINT AN INDIVIDUAL INTO A CLASSIFIED POSITION. THE VETERANS AFFAIRS OFFICER APPEARS TO BE TAKING THE PLACE OF THE VETERANS ADMINISTRATOR WHICH IS CURRENTLY VACANT AND UNDER RECRUITMENT.

AMENDMENTS TO P.L. 27-106 AND 27-126 ARE MADE. THE AMENDMENT TO P.L. 27-106 PROVIDES FOR THE ADDITIONAL RECRUITMENT OF A FIELD REPRESENTATIVE AND AN ADMINISTRATIVE OFFICER. THE AMENDMENT TO 27-126 CHANGES THE APPROPRIATION FROM AN ANNUAL ONE TO A CONTINUING ONE.

THE BILL ALSO ESTABLISHES A GUAM VETERANS COMMISSION. THIS COMMISSION IS PRIMARILY VOLUNTARY AND THERE IS NO COMPENSATION INVOLVED.

THE OFFICE OF CIVIL DEFENSE IS ALSO REMOVED FROM THE DEPARTMENT OF MILITARY AFFAIRS AND HAS BEEN CHANGED TO THE OFFICE OF GUAM HOMELAND SECURITY, WHICH SHALL FALL UNDER THE PURVIEW OF THE OFFICE OF THE GOVERNOR. THIS CHANGE TECHNICALLY ALLOWS THE CURRENT CLASSIFIED EMPLOYEES OF CIVIL DEFENSE TO BE EMPLOYEES OF THE GOVERNORS OFFICE. THIS BRINGS UP THE ISSUE OF WHETHER THE GOVERNORS OFFICE CAN HAVE CLASSIFIED EMPLOYEES AS PART OF ITS STAFF.

THIS BILL ULTIMATELY REORGANIZES VETERANS AFFAIRS AND CIVIL DEFENSE.

IT SHOULD BE NOTED THAT THESE PROPOSED CHANGES APPEAR TO BE ADMINISTRATIVE IN NATURE AND SHOULD NOT POSE A FISCAL IMPACT ON THE GENERAL FUND.









## TESTIMONY FOR BILL #113

Good Morning Senators,

My name is Barbara McCarron. I am not a veteran but I am the wife of a deceased veteran. Currently I have an active claim with the VA office in Honolulu for DIC, which is Dependency and Indemnity Compensation. My late husband died in 1988 from a respiratory cancer, which was caused by exposure to the herbicide Agent Orange during his tour of duty in Vietnam.

I am in favor of Bill #113 because I feel the Office of Veteran Affairs needs to be completely reorganized in order to better serve the veterans, dependents or survivors who come to that office seeking help.

My dealings with the Office of Veteran Affairs have been a nightmare from the time that I entered their door. I had originally applied for DIC in 1989, which was declined because at that time, the VA was not accepting any claims for Agent Orange related deaths. I was very unhappy that I was declined but I decided to just move on and forget about getting any type of compensation. Last year, a friend of mine, who was a veteran and a friend of my husband, told me that I needed to reapply to the Office of Veterans Affairs for DIC because respiratory cancers were now accepted as a service related death.

I went to the Office of Veterans Affairs and inquired if any one in the office would be able to help me find any laws related to Agent Orange related deaths. I was told that before they could help me, I had to go to an orientation, which was only held the first Tuesday of every month. Since they had just had an orientation, I had to wait almost a month before I was able to see a staff member about my case. After I attended the orientation, I spoke with one of the staff. The staff member took one look at my husband's death certificate and asked me why I had not applied for DIC when the law had changed in 1994. When I asked her for a clarification, I was told that respiratory cancers had been added to the VA's list of Agent Orange related diseases. I told the staff member that I had my husband's complete service record, which included his medical record. I was told that the staff member was really busy at the time but they would be able to see me the following week when I was to bring the service record. When I went to my follow up appointment, I was told that I needed to make copies of a bunch of documents and if I was able to submit them to the office in the next couple of days, my application would be sent to Hawaii. I submitted all of the requested paperwork and was told that it would probably take 8-10 months because the office in Hawaii was so backlogged.

In January I called the VA office in Honolulu to check on the status of my claim and I was told that they did not have my claim in the system. I was so unhappy that I went up to the Office of Veterans Affairs and asked them for proof that my application had been sent to Honolulu. I was given a copy of my application, which had been signed and dated November 17<sup>th</sup> by the staff member who had seen me, but I was given no proof that my application had been sent to the VA. When I asked the staff member where my application was, I was told that the person worked very hard and did not appreciate these types of phone calls questioning how the office was run.

The end of January I called the VA office in Honolulu and was told that they had received my claims application on the 20<sup>th</sup>. When I asked how long it would take to process my claim, I was told that DIC applications had priority over other applications but it could take up to 6 months because of the backlog. I still wanted to find a copy of the law that the staff member had mentioned back in November but when I asked what type of resources that the office had to help veterans I was told that they had nothing available. I also wanted to try to contact various veterans groups to find out if some one would be able to help me and the office did not have a current list of the various veteran's organizations that are on the island.

The last couple of months have been very frustrating for me but I have been calling Honolulu every two weeks to find out the status of my claim and I have been very pleased with the service that I have received from that office. Last week while speaking to some of the members of the Guiding Light veteran's organization, I finally got a clue as to where I might be able to find the law that I have been looking for since November. I spent 3 hours on the VA website and was able to find the law that mandated the VA to give benefits to veterans who had died of respiratory cancers as a result of being exposed to Agent Orange while serving in Vietnam.

During the past 6 months I have had no help whatsoever from the Office of Veterans Affairs regarding my claim and I am very fortunate that I have the ability to find the information that I needed on the VA website.

The Office of Veterans Affairs desperately needs a good resource area where veterans, dependents, survivors and the staff can go to get information on regulations and laws, which govern the Veterans Administration.

Reorganization of the Office of Veterans Affairs is of the highest priority and I urge the Senators to pass Bill 133.

*Balera In' Cawv*

**TESTIMONY  
ON  
BILL #113**

Submitted by:  
Fred Gofigan  
Interim Administrator  
Guam Veterans Affairs Office

Mr. Chairman and Senators:

I want to thank you for forwarding me the opportunity to submit my testimony on Bill #113. I am here to testify in support of Bill# 113. For the past 30 years the Veterans Office was utilized as a ceremonial office rather than what it was created for and that is to serve the veterans. It lost its focus. One of our greatest President Abraham Lincoln once wrote, "With malice toward none; with charity for all; with firmness in the right, as God give us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to **care for him who shall have borne the battle, and for the widow, and his orphan**—to do all which may achieve and cherish a just lasting peace, among ourselves, and with all nations".

There was no real emphasis on the importance of this office until three years ago, through Senator Unpingco at the time and Frank Flores. To accomplish its goal as President Abraham Lincoln stated, "...to care for him who shall have borne the battle and for his widow and his orphan..." the Veterans office must be removed from the Department of Military Affairs.

The Governor has seen the importance of this office especially with the on going war in Iraq. It is the Governor's goal to provide the services needed by the veterans that fought in the past wars and preparing for those returning from fighting the war on terrorism.

Two goals can be accomplished with more resources placed on the Veterans Affairs Office: The foremost is the caring of our veterans and their families and secondly, additional money into the economy.



The veterans suffering financially because of health problems will no longer have to endure the pain, because they can receive the assistance through the filing for their claims.

For example, if a veteran is a patient at Department of Mental Health he will be referred to our office to file for VA claim. If the veteran is dependent on the Government of Guam for assistance (MIP and food stamps) once awarded by the VA the cost of caring for the veteran will shift from the Government of Guam to the VA. The veteran will more than likely receive health benefits and compensation. In addition, this revenue will be spent in the economy. Currently, our office has assisted about two individuals in this predicament. This is five thousand dollars into the economy a month.

Today, we have an estimated 448 veterans receiving Benefits and Compensation which translate to over \$5 million dollars a year not including the Economic Multiplier; inclusive of the multiplier translate into \$7.5 million.

There are over eight thousand eight hundred files at the Guam Veterans Affairs Office (GVAO) that we are currently reviewing and establishing a database that is easily accessible to determine active and inactive files.

In addition, a law was passed in December 2003 which allows those retired from Military service to receive both retirement and VA compensation; we have yet to entertain these veterans that are entitled to this benefit. This only indicates the importance of our veteran the needed attention the office Veterans Affairs is in dire of.

The Department of Military Affairs must focus their resources in preparation for their call to duty to fight the war on terrorism and limit its distraction of preparedness.

The merging of this office with the Department of Military Affairs was an injustice to the Veterans. We are here today to correct the injustice. I stand here in support of Bill #113.