

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

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MMB

Bill No. 363-31 (LS)

Introduced by:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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