Public Law 31-161

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

Bill No. 363-31 (LS)
As amended by the Committee on Utilities,
Transportation, Public Works and Veterans Affairs;
and further amended on the Floor.

Introduced by: T. C. Ada
Judith P. Guthertz, DPA
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AN ACT TO AUTHORIZE THE USE OF LOCAL FUNDS FOR MATCHING OF GRANTS AVAILABLE FROM THE VETERANS AFFAIRS STATE CEMETERY GRANTS PROGRAM; AND TO APPROVE A CONCEPTUAL CAPITAL IMPROVEMENT PLAN RELATIVE TO THE EXPANSION OF THE GUAM VETERANS CEMETERY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Veterans Cemetery, which began operations in 1953, consists of

eighteen (18) acres of land in *Piti*, Guam. To date, thirteen (13) acres have been developed for cemetery use. Total gravesites today numbers about three thousand six hundred (3,600).

I Liheslaturan Guåhan further finds that over a period of nearly six (6) decades, many of the in-ground gravesites have settled below grade and are often below water during periods of heavy rain. Consequently, grave markers need to be raised and realigned. Significant seismic activity has also resulted in the structural compromise of the aboveground crypts, resulting in the settling of the crypts. Approximately four hundred (400) niches are obviously compromised, as well as another three hundred seventy (370) niches that will need to be evaluated to determine their structural soundness. An engineering evaluation of the crypts will need to be performed to determine if maintenance and repairs (M&R) is an option, or if the compromised structures must be demolished and rebuilt.

I Liheslaturan Guåhan further finds that as of October 2011, the Cemetery has twenty-five (25) in-ground burial sites remaining and in-ground burials are an option close to being exhausted. In-ground burial sites are currently reserved primarily for over-sized caskets. There are, *however*, small areas that could be developed to add more burial sites. The burial rate is approximately two hundred (200) per year. There are one thousand one hundred (1,100) crypts available, *not* including the four hundred ninety-six (496) that have been reserved for double burials. Expansion of burial capacity at the Cemetery must be initiated and implemented.

I Liheslaturan Guåhan finds that the Guam Office of Veterans Affairs (GOVA) is eligible to be considered by the State Cemetery Grants Service of the U.S. Department of Veterans Affairs for a grant of up to One Hundred Seventy-Five Thousand Dollars ($175,000) for maintenance and repairs (M&R) at the

Guam Veterans Cemetery, and for a grant of up to Three Million Nine Hundred Fifty-Two Thousand Five Hundred Dollars ($3,952,500). The government of Guam must, *however*, provide ten percent (10%), of federal grants available, in local funds for startup matching for the M&R and the Capital Improvement Plan (CIP). The purpose of the matching funds is to support the project development prior to the grant award.

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

Section 2. Authorization to Use Local Funds as Matching Funds. In the event that GOVA's application for the CIP and M&R grants are favorably considered, *I Maga'lahi* (the Governor) is hereby authorized to use his transfer authority to provide a ten percent (10%) local matching funds for each of two (2) projects for expansion of burial capacity and maintenance and repair of the Guam Veterans Cemetery. Limitations to *I Maga'lahi's* (the Governor's) transfer authority *shall not* be applicable to this transfer. Funds identified for transfer *shall* be subject to re-appropriation by *I Liheslatura*.

Section 3. Conceptual Capital Improvement Plan Approved.

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

1. The expansion of the Guam Veterans Cemetery *shall* remain at the existing location in *Piti.*

2. Additional Burial Capacity *shall* be attained through the construction of above-ground crypts and columbaria.

a. Up to one thousand (1,000) additional crypts are to be constructed on the remaining five (5) acres of undeveloped Cemetery land; and

b. Up to one thousand (1,000) columbarium niches are to be built. The columbarium niches are intended to hold the urns of cremated veterans *or* dependents.

3. If expansion of the Cemetery requires additional ground space for the construction of aboveground crypts, the possibility of disinterment is to be explored.

4. The existing perimeter fence of the Cemetery is to be replaced with a concrete perimeter fence and appropriate security gate(s).

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

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

Section 4. Severability. *If* any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall* not affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.