

**10 GCA HEALTH AND SAFETY
CH. 67 OFFICE OF VETERANS AFFAIRS**

**CHAPTER 67
OFFICE OF VETERANS AFFAIRS**

NOTE: Section 10 of P.L. 16-111 repealed this Chapter effective September 30, 1983. However, P.L. 17-25:III:II reenacted this Chapter in its entirety by repealing P.L. 16-111-:10.

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§ 67100. Creation of Office.

There is within the Office of *I Maga'lahaen Guåhan* an Office of Veterans Affairs. The Veterans Affairs Officer is a member of the classified service and is the administrative head of the Office of Veterans Affairs subject to the direction and control of *I Maga'lahaen Guåhan*, who is the appointing authority.

SOURCE: GC § 8975, as amended by P.L. 14-92. Amended by P.L. 24-298:12. Amended by P.L. 28-046:4.

NOTE: Public Law 28-068:IV:42 (Sept. 30, 2005) purported to transfer the duties herein assigned to the Civil Service Commission to the Director of Administration. However, P.L. 28-046 (June 10, 2005) already removed reference to the Civil Service Commission.

§ 67101. Definitions.

As used in this Chapter:

- (a) Officer means Veterans Affairs Officer.
- (b) Office means the Office of Veterans Affairs.
- (c) Veteran includes veterans of the Guam Combat Patrol, the United States Navy Insular Force, Philippine Scouts and the United States Armed Forces.

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SOURCE: GC § 8976. Amended by P.L. 28-046:5.

§ 67102. Purpose of Office.

The Office shall be responsible for the administration of all local laws respecting veterans of the Armed Forces of the United States. It shall also be that agency of the government of Guam charged with the responsibility of cooperating with the Veterans Administration of the United States in all matters relating to local veterans. The Office shall assist every veteran of Guam and the dependent or survivor of every veteran of Guam in presenting and pursuing such claim as the veteran, dependent, or survivor may have under current Federal law governing VA benefits arising out of qualifying military service and in establishing the veteran's, dependent's or survivor's right to any privilege, preference, care or compensation provided for by the laws of the United States or of Guam. The processing of claims for veterans and their dependents and survivors shall be limited to the initial claims. The claims may include the following types of benefits and service:

- (a) Disability compensation benefits.
- (b) Disability pension benefits.
- (c) Dependents' indemnity compensation.
- (d) Widow's death pension.
- (e) Burial benefits.
- (f) Confirmed and continued claims.
- (g) Vocational rehabilitation and education.
- (h) Waivers of indebtedness.
- (i) Other benefits that result in monetary awards to the claimant.

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

SOURCE: GC § 8977. Amended by P.L. 28-046:6 (June 10, 2005).

§ 67103. Powers and Duties of Officer.

The Officer:

(a) shall administer the Office and implement the provisions set forth in Section 67102 above;

(b) shall exercise and discharge the duties of the Office through

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such organizational units as he may establish;

(c) shall enforce the provisions of this Chapter and of any other laws granting him jurisdiction pertaining to veterans of the Armed Forces of the United States;

(d) may administer and certify oaths and affirmations, take and certify affidavits and acknowledgments, and exercise any other power of a notary public, but only as part of his duties under this Chapter and neither he nor his office shall charge any fee for such certification or notarial service;

(e) may formulate and adopt rules necessary or proper for the internal administration of the Office; and

(f) may study and plan for the establishment of a Territorial Veterans Cemetery, seeking such assistance, advice and support from the Armed Forces of the United States, the Federal Veterans Administration, other local and Federal agencies, and veterans and veterans organizations.

(g) shall receive and consider the recommendations of the Guam Veterans Commission.

SOURCE: GC § 8978, as amended by P.L. 15-81; R/R by PL 16-105:7. Amended by P.L. 28-046:7 (June 10, 2005).

§ 67103.1. Guam Veterans Cemetery, Eligibility For.

The Guam Veterans Cemetery shall be used for the burial of persons who served honorably in the armed forces of the United States, the Insular Guard, the Guam Militia, the Guam Scouts, the Guam Combat Patrol or who were employed in a civil capacity on Wake Island on December 7, 1941, United States Merchant Marine vessels and other duties in direct support of the United States government at war and their spouses and dependents.

SOURCE: Added by P.L. 16-105:9. Repealed and reenacted by P.L. 24-118:1.

§ 67104. Transfer of Records, Equipment and Employees.

Upon effective date of this Chapter, all contracts, books, records, papers, documents, property and pending business heretofore made, used and acquired or conducted by the Veterans Affairs Coordinator shall be transferred to the Office of Veterans Affairs, and all employees of the Veterans Coordinator engaged in performing functions herein transferred

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shall be transferred to the Office of Veterans Affairs.

SOURCE: GC § 8979.

§ 67105. Burial in Veteran's Cemetery.

Any veteran of the United States Armed Forces shall be buried without charge to the family of the deceased veteran in the Veteran's Cemetery of Guam.

SOURCE: P.L. 18-24:11.

§ 67105.1. Veterans Cemetery Trust Fund.

The Veterans Cemetery Trust Fund is transferred from the Guam Parks Commission to the Guam Veterans Commission. Any money paid by the Federal government to Guam in connection with the use of the cemetery shall be deposited in the Veterans Cemetery Trust Fund and used for the maintenance of the cemetery. Expenditures from the Fund shall be by direction of the Guam Veterans Commission, which shall annually account to *I Liheslaturan Guåhan* for the use of the Fund.

SOURCE: Added by P.L. 28-078:4 (Dec. 5, 2005).

§ 67106. Solicitation, Acceptance, Utilization and Administration of Gifts, Bequests and Donations.

The Veterans Affairs Officer may solicit, accept, utilize and administer on behalf of the Office of Veterans Affairs, gifts, bequests and donations. The funds received shall be deposited into the Veterans Affairs Fund. Such gifts, bequests and donations shall be used for the maintenance of the Veterans Cemetery of Guam, the maintenance of the Veterans Affairs office, the sponsorship of events for veterans and purposes intended by the donor which are consistent with the goals and objectives of the Office of Veterans Affairs as stated in this Section. A quarterly report shall be submitted by the Veterans Affairs Officer to *I Maga'lahen Guåhan*, the Speaker of *I Liheslaturan Guåhan*, and the Public Auditor, describing the solicitation, acceptance, utilization and administration of gifts, bequests and donations, and posted on the Office's website.

SOURCE: GC § 8970, numbered §67105 by Compiler and later renumbered §67106 by P.L. 18-24. Repealed and reenacted by P.L. 28-078:1, (Dec. 5, 2005).

§ 67107. Guam Veterans Commission.

There is hereby established a Guam Veterans Commission which *shall* consist of: (1) four (4) members representing the respective veterans *or*

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retirees association for each branch of the U.S. Armed Forces, i.e. U.S. Army Retirees (or Veterans) Association, U.S. Air Force Retirees (or Veterans) Association, U.S. Navy Retirees (or Veterans) Association, and USMC Retirees (or Veterans) Associations; and (2) members from the officially chartered Guam chapters of multi-service Veteran Service Organizations. Organizations to be represented on the Guam Veterans Commission are required to be duly registered as a non-profit corporation with the Guam Department of Revenue and Taxation in accordance with Title 18 of Guam Code Annotated and *shall* furnish the Guam Veterans Affairs Office each year a copy of the Non-profit Annual Report filed with Department of Revenue and Taxation. The Commander *or* designee of each Veteran Service Organization *shall* be the representative on the Veterans Commission. Every representative *shall* serve for the term of the Commander, but *not more than two (2) years*. *If* the Commander's term *exceeds* two (2) years, the Veteran Service Organization *shall* appoint a successor to serve during the term of the incumbent Commander. Should a Veteran Service Organization have *more than one (1) Chapter*, then the membership within the Commission *shall* be rotated among the Commanders of those Chapters, with the order of the rotation decided among those Chapters. A majority (50% plus one) of the number of members on the Commission *shall* constitute a quorum. The Commission *shall* meet quarterly and *shall* advise the Veterans Affairs Officer regarding matters affecting veterans and related issues. The Commission *shall* provide veterans and their families with the opportunity to air grievances for the purpose of effecting corrective action *or* change to existing policies that affect delivery of benefits and services to the Guam veteran population. The members of the Commission are volunteers and *shall not* receive compensation.

SOURCE: Added by P.L. 28-046:10 (June 10, 2005). Amended by P.L. 29-009:2 (Sept. 7, 2007), P.L. 30-086:2 (Feb. 8, 2010).

§ 67107.1. New Membership Process.

The process for new membership to the Guam Veterans Commission is as follows:

- (a) The Guam Veterans Affairs Office *shall* receive new membership requests and submit same to the Chairman of the Guam Veterans Commission.

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(b) The Veterans Commission *shall* review the new membership request and forward its recommendation to *I Maga'lahren Guåhan* for appropriate action.

SOURCE: Added by P.L. 30-086:2 (Feb. 8, 2010).

§ 67108. Vacancy.

When the position of Veterans Affairs Officer, Office of Veterans Affairs is vacant or vacated, the Guam Veterans Commission may recommend a nominee to *I Maga'lahren Guåhan* from a list of eligible applicant(s) provided by the Department of Administration.

SOURCE: Added by P.L. 28-046:11 (June 10, 2005).

§ 67109. Veterans Affairs Fund.

There is hereby created, separate and apart from other funds of the government of Guam, a special fund known as the Veterans Affairs Fund (the "Fund"). The Fund shall not be commingled with the General Fund or any other funds of the government of Guam. The Guam Veterans Commission shall approve all expenditures paid from the Fund. The Veterans Affairs Officer shall be the administrator of the Fund, and may issue warrants of expenditure pursuant to §67106 of this Chapter and shall maintain a record of all donations and expenditures.

SOURCE: Added by P.L. 28-078:2, (Dec. 5, 2005).
