



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM


MAR 13 2001

The Honorable Joanne M. S. Brown  
Legislative Secretary  
I Mina'Bente Sais na Liheslaturan Guåhan  
Twenty-Sixth Guam Legislature  
Suite 200  
130 Aspinal Street  
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 039 (COR) entitled: "AN ACT TO APPROPRIATE \$100,000.00 FOR EMERGENCY EXPENDITURES FOR THE MARCH 11, 2001 DEDEDO SOLID WASTE TRANSFER STATION FIRE" which was signed into law as Public Law No. 26-02.

Very truly yours,

  
Carl T. C. Gutierrez  
I Maga'Lahen Guåhan  
Governor of Guam

Attachment: copy attached for signed bill or overridden bill  
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco  
Speaker

OFFICE OF THE LEGISLATIVE SECRETARY  
ACKNOWLEDGMENT RECEIPT

Received By SE

Time 12:51 p.m.

Date 03/13/01

0107


**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN**  
**2001 (FIRST) Regular Session**

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

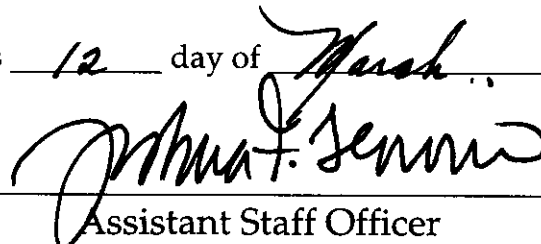
This is to certify that Bill No. 039 (COR) "AN ACT TO APPROPRIATE \$100,000.00 FOR EMERGENCY EXPENDITURES FOR THE MARCH 11, 2001 DEDEDO SOLID WASTE TRANSFER STATION FIRE," was on the 12<sup>th</sup> day of March, 2001, duly and regularly passed.

  
\_\_\_\_\_  
**ANTONIO R. UNPINGCO**  
Speaker

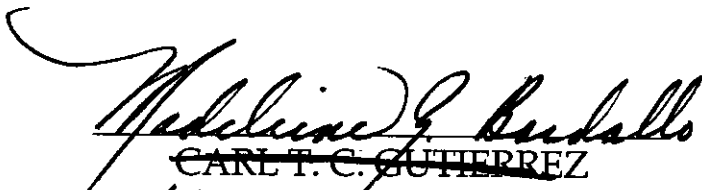
Attested:

  
\_\_\_\_\_  
**JOANNE M.S. BROWN**  
Senator and Legislative Secretary

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This Act was received by *I Maga'lahaen Guåhan* this 12 day of March, 2001,  
at 7:20 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

  
\_\_\_\_\_  
**CARL T. C. GUTIERREZ**  
*Acting I Maga'lahaen Guåhan*

Date: 3/12/01

Public Law No. 26-02

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN**  
**2001 (FIRST) Regular Session**

**Bill No. 39 (COR)**

As amended.

Introduced by:

A. R. Unpingco  
K. S. Moylan  
Mark Forbes  
J. F. Ada  
T. C. Ada  
F. B. Aguon, Jr.  
J. M.S. Brown  
E. B. Calvo  
F. P. Camacho  
M. C. Charfauros  
L. F. Kasperbauer  
L. A. Leon Guerrero  
V. C. Pangelinan  
A. L.G. Santos  
J. T. Won Pat

**AN ACT TO APPROPRIATE \$100,000.00 FOR  
EMERGENCY EXPENDITURES FOR THE  
MARCH 11, 2001 DEDEDO SOLID WASTE  
TRANSFER STATION FIRE.**

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

2           **Section 1. Legislative Findings and Intent.** At 11:30 p.m. on  
3 March 11, 2001, Acting *Maga'lahaen Guåhan* Madeleine Z. Bordallo declared  
4 a state of emergency as a result of the intensification of a fire at the  
5 Department of Public Work's Dededo Solid Waste Transfer Station, which

1 intensification escalated a threat to public health and safety from the  
2 intense and dense smoke clouds emanating from the fire. The Guam Fire  
3 Department, the Guam Environmental Protection Agency and the  
4 Department of Public Health and Social Services *all* recognized the  
5 immediate emergency and danger to the public, and immediately  
6 mobilized their staff and personnel to effectively plan and handle the most  
7 immediate needs of the emergency.

8 *I Mina'Bente Sais Na Liheslaturan Guåhan* recognizes the need for the  
9 declaration of an emergency and commends Acting *Maga'lahen Guåhan*  
10 Bordallo, and the aforementioned departments and agencies of the  
11 government of Guam for the expeditious actions in this situation. The  
12 immediate, effective and efficient actions of the Acting *Maga'lahen Guåhan*,  
13 and the agency and department heads of the government, recognize the  
14 fact that the Executive Branch of government has the capacity, ability,  
15 authority and responsibility to act without a moment's hesitation.

16 Notwithstanding this capacity, ability, authority and responsibility,  
17 this emergency session of *I Mina'Bente Sais Na Liheslaturan Guåhan*, as  
18 convened by the Speaker, is called to provide legislative recognition of the  
19 emergency, the need for emergency funding, and the potential need to  
20 replenish funds which may have been transferred and utilized to secure  
21 services or procure material at a moment's notice and where necessary. *I*  
22 *Mina'Bente Sais Na Liheslaturan Guåhan* also recognizes and restates its  
23 policy that there will be accountability for all funds expended under this  
24 and any emergency declaration.

1           **Section 2. Appropriation Authorization.** To provide for  
2 expenditures incurred in fighting, controlling and extinguishing the fire at  
3 the Department of Public Work's Dededo Solid Waste Transfer Station on  
4 or about March 11, 2001, and for providing for emergency services to care  
5 for citizens who may have had to be evacuated as a result of said fire, the  
6 sum of One Hundred Thousand Dollars (\$100,000.00) is hereby  
7 appropriated from the General Fund to the Department of Military Affairs,  
8 Office of Civil Defense, for the purpose of reimbursing agencies and  
9 departments which may have incurred expenditures as a result of the  
10 declaration of emergency.

11           **Section 3. Reporting Requirement.** *I Maga'lahen Guåhan* shall  
12 prepare, or have prepared, a report *no later than* the thirtieth (30<sup>th</sup>) day after  
13 the declaration of emergency, (in this case, *no later than* April 11, 2001) on  
14 all transfers, expenditures and reimbursements by all and any agency or  
15 department, directly related to the fighting, controlling and extinguishing  
16 of the fire covered by the declaration of emergency by *Acting Maga'lahen*  
17 *Guåhan* Madeleine Z. Bordallo on March 11, 2001.

18           All reports required herein shall be submitted to the Speaker of *I*  
19 *Mina'Bente Sais Na Liheslaturan Guåhan* *no later than* the close of business on  
20 April 12, 2001.

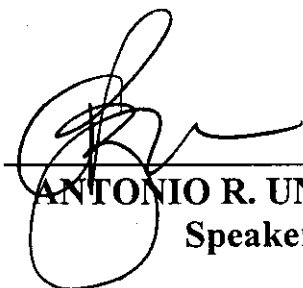


**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hesler Street, Hagåtña, Guam 96910

**2001 (FIRST) Regular Session**

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Sais Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the people and therefore waive the statutory requirements for a public hearing on Bill Number 39 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR TO TRANSFER THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS FOR EMERGENCY EXPENDITURES FOR THE DEDEDO SOLID WASTE TRANSFER FIRE ON 11 MARCH 2001," which was introduced on this date, March 12, 2001, and therefore waive the statutory requirements for a public hearing on Bill Number 39 (COR).

Dated: March 12, 2001

  
ANTONIO R. UNPINGCO  
Speaker

I MINA BENTE SAIS NA LIHESLATURAN GUAHÃN  
2001 (FIRST) SPECIAL SESSION

Bill No. 39 (COR)

Introduced by:

A.R. Unpingco 6  
K. S. Moylan  
M. Forbes

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1 AN ACT TO AUTHORIZE THE GOVERNOR TO  
2 TRANSFER THE SUM OF TWO HUNDRED FIFTY  
3 THOUSAND DOLLARS FOR EMERGENCY  
4 EXPENDITURES FOR THE DEDEDO SOLID WASTE  
5 TRANSFER FIRE ON 11 MARCH 2001.  
6

7 **BE IT ENACTED BY THE PEOPLE OF GUAM:**  
8

9 **Section 1. Legislative Findings and Intent:** At 2230 hours on March  
10 11, 2001, Acting Governor Madeleine Z. Bordallo declared a state of  
11 emergency as a result of the intensification of a fire at the Department of  
12 Public Work's Dededo Solid Waste Transfer Station which intensification  
13 escalated a threat to public health and safety from the intense and dense  
14 smoke clouds emanating from the fire. The Guam Fire Department, the  
15 Guam Environmental Protection Agency and the Department of Public  
16 Health and Social Services all recognized the immediate emergency and  
17 danger to the public and immediately mobilized their staff and personnel  
18 to effectively plan and handle the most immediate needs of the emergency.  
19 I Mina Bente Sais na Liheslaturan Guahãn recognizes the need for the  
20 declaration of an emergency and commends Acting Governor Bordallo  
21 and the aforementioned departments and agencies of the Government of

1 Guam for their expeditious actions in this situation. The immediate,  
2 effective and efficient actions of the Acting Governor and the agency and  
3 Department heads of the Government recognizes the fact that the  
4 Executive Branch of government has the capacity, ability, authority and  
5 responsibility to act without a moment's hesitation. Notwithstanding this  
6 capacity, ability, authority and responsibility, this emergency session of I  
7 Mina Bente Sais na Liheslaturan Guahån, as convened by the Speaker, is  
8 called to provide legislative recognition of the emergency, the need for  
9 emergency funding, and the potential need to replenish funds which may  
10 have been transferred and utilized to secure services or procure materiel at  
11 a moments notice and where necessary. I Mina Bente Sais na Liheslaturan  
12 Guahån also recognizes and restates its policy that there will be  
13 accountability for all funds expended under this and any emergency  
14 declaration.

15 **Section 2. Transfer Authorized.** To provide for expenditures  
16 incurred in fighting, controlling and extinguishing the fire, and for  
17 providing for emergency services to care for citizens who may have had to  
18 be evacuated as a result of said fire, at the Department of Public Work's  
19 Dededo Solid Waste Transfer Station, the Governor of Guam is  
20 authorized to transfer no more than the sum of **TWO HUNDRED FIFTY**  
21 **THOUSAND DOLLARS (\$250,000.00)**, from the unexpended balance of  
22 the **FOUR MILLION THREE HUNDRED THOUSAND DOLLARS**  
23 **(\$4,300,000.00)** INS-GUAM-99-1A Grant, Catalog No. CFDA 15.875,  
24 received on 25 September 2000, expiration on 30 September 2001, for the  
25 purpose of reimbursing agencies and departments which may have  
26 incurred expenditures as a result of the declaration of emergency.



1           **Section 3. Reporting requirement.** The Governor of Guam shall  
2 prepare or have prepared, a report[s], no later than the thirtieth day (30th)  
3 after the declaration of emergency, (in this case, no later than 11 April  
4 2001) on all transfers, expenditures and reimbursements by all and any  
5 agency or department, directly related to the fighting, controlling and  
6 extinguishing of the fire covered by the declaration of emergency by Acting  
7 Governor Madeleine Z. Bordallo on 11 March 2001. All reports required  
8 herein shall be submitted to the Speaker of I Mina Bente Sais na  
9 Liheslaturan Guahån no later than the close of business 12 April 2001.