

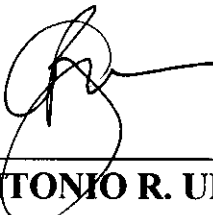


**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

**2002 (SECOND) 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 347 (COR), "AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON CHATA'AN," which was introduced on this date, July 5, 2002, and therefore waive the statutory requirements for a public hearing on Bill Number 347 (COR).

Dated: July 5, 2002

  
\_\_\_\_\_  
**ANTONIO R. UNPINGCO**  
Speaker and Presiding Officer



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JUL 08 2002

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. 347 (COR) "AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON CHATA'AN" which was signed into law as Public Law No. 26-115.

Very truly yours,

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

Attachments: original bill for vetoed legislation or  
copy of bill for signed or overridden legislation  
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco  
Speaker

OFFICE OF THE LEGISLATIVE SECRETARY  
ACKNOWLEDGMENT RECEIPT  
Received By \_\_\_\_\_  
Time \_\_\_\_\_  
Date 7/8/02

0850

**MINA 'BENTE SAIS NA LIHESLATURAN GUAHAN  
2001 (SECOND) EMERGENCY SESSION**

CERTIFICATION OF PASSAGE OF AN ACT TO *IMAGA'LAHEN GUAHAN*

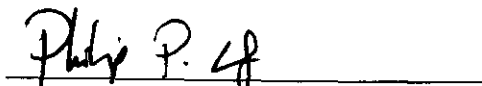
This is to certify that Bill No. 347 (COR) "AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON CHATA'AN," was on the 5<sup>th</sup> day of July, 2002, duly and regularly passed.

  
ANTONIO R. UNPINGCO  
SPEAKER

Attested:

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guahan* this 5<sup>th</sup> day of July, 2002, at 9:30  
o'clock P.M.

  
Assistant Staff Officer  
Maga'lahi's Office

APPROVED:

  
CARL T.C. GUITIERREZ  
*I Maga'lahen Guahan*

Date: 7-5-02 <sup>10 p.m.</sup>

Public Law No. 26-115

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN**  
**2002 (SECOND) Regular Session**

**Bill No. 347 (COR)**

As amended on the Floor.

Introduced by:

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

**AN ACT TO APPROPRIATE FUNDS FOR  
EMERGENCY EXPENDITURES RESULTING FROM  
TYPHOON CHATA'AN.**

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

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

that Typhoon Chata'an has hit Guam with devastating and destructive winds. It is therefore the intent of *I Mina'Bente Sais Na Liheslaturan Guåhan* to immediately address this emergency situation. This emergency session of *I Mina'Bente Sais Na Liheslaturan Guåhan*, as convened by the Speaker, is called to provide legislative recognition of the emergency, the need for emergency funding and the need to replenish

1 funds which will be utilized to secure services or procure material at a moment's notice  
2 where necessary.

3 *I Mina'Bente Sais Na Liheslaturan Guahan* also recognizes and restates its  
4 policy that there will be accountability for all funds expended under this and any  
5 emergency declaration.

6 **Section 2. Typhoon Chata'an Emergency Authorization.**

7 Notwithstanding any other provisions of law or this Act, *I Maga'lahaen Guahan*  
8 is authorized to utilize any part or portion, *not to exceed* Five Hundred Thousand  
9 Dollars (\$500,000.00), of outstanding FY2002 Executive Branch appropriations within  
10 the General Fund for expenses for civil defense, public safety or health emergencies  
11 resulting of Typhoon Chata'an.

12 **Section 3. Reversion.** Any appropriation authorized under this Act which has  
13 *not* been encumbered or expended within sixty (60) days of enactment of this Act shall  
14 revert back to the General Fund.

15 **Section 4. Reporting Requirement.** *I Maga'lahaen Guahan* shall  
16 prepare a detailed report on all transfers, expenditures and reimbursements by all and  
17 any agency or department, and the Mayors' Council, directly related to Typhoon  
18 Chata'an or the funds appropriated herein. All reports required herein shall be  
19 submitted to the Speaker of *I Mina'Bente Sais Na Liheslaturan Guahan* within five (5)  
20 days of the transfer, expenditure or reimbursement. A closeout report of the  
21 expenditures of the funds appropriated herein shall be filed within sixty (60) days of the  
22 enactment of this Act.

23 **Section 5. Temporary Staging Areas for Typhoon Debris.** The Mayors of  
24 each Village are hereby authorized, in coordination with the Guam Environmental  
25 Protection Agency ("GEPA"), to establish *temporary* staging areas for Typhoon

1 Chata'an debris. The Mayors, in conjunction with the Department of Public Works  
2 ("DPW"), shall clear the staging areas established under this Act as soon as  
3 practicable.

4 **Section 6. Reimbursement.** Reimbursement of any funds expended under  
5 this Act from Federal sources, including the Federal Emergency Management Authority  
6 ("FEMA"), and other sources, including insurance policies, shall be returned to the  
7 source from which the funds originated, to the extent that Federal laws permit.

8 The Director of the Department of Military Affairs shall maintain detailed  
9 accounting records pertaining to the expenditures authorized under this Act.

10 Within thirty (30) days from the receipt of the initial reimbursement from FEMA,  
11 and thirty (30) days after each subsequent reimbursement from FEMA, the Director of  
12 Military Affairs shall submit a detailed report of such expenditures and reimbursements  
13 authorized under this Act to the Speaker of *I Liheslaturan Guahan*.

14 **Section 7. Expenses Beyond Emergency Appropriation.** Any additional  
15 funding necessary for the recovery of Typhoon Chata'an shall require *I Maga'lahen*  
16 *Guahan* to submit a detailed assessment of projected expenses to the Speaker of *I*  
17 *Liheslaturan Guahan* for appropriation by *I Liheslaturan Guahan*.

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



**MINA' BENTE SAIS NA LIHESLATURAN GUÁHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

**2002 (SECOND) Regular Session**

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Sais Na Liheslaturan Guáhan*, 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 347 (COR), "AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON CHATA'AN," which was introduced on this date, July 5, 2002, and therefore waive the statutory requirements for a public hearing on Bill Number 347 (COR).

Dated: July 5, 2002

A handwritten signature in black ink, appearing to be "Antonio R. Unpingco", written over a horizontal line.

**ANTONIO R. UNPINGCO**  
Speaker and Presiding Officer

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 7/2/02

## VOTING SHEET

Bill No. 347 (COR)

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

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

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.					✓
ADA, Thomas C.	✓	X			
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.				EA	✓
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

13    0    0    0    2

CERTIFIED TRUE AND CORRECT:

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

\* 3 Passes = No vote  
EA = Excused Absence



**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN**  
**2002 (Second) Regular Session**

**Bill No. 347 (COR)**

Introduced by:

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

**AN ACT TO APPROPRIATE FUNDS FOR  
EMERGENCY EXPENDITURES RESULTING FROM  
TYPHOON CHATA'AN.**

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

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

3 **Guåhan** finds that Typhoon Chata'an has hit Guam with devastating

4 and destructive winds. It is therefore the intent of I Mina'Bente Sais Na

5 Liheslaturan Guåhan to immediately address this emergency situation.

6 This emergency session of I Mina'Bente Sais Na Liheslaturan Guåhan,

7 as convened by the Speaker, is called to provide legislative recognition

1 of the emergency, the need for emergency funding and the need to  
2 replenish funds which will be utilized to secure services or procure  
3 material at a moment's notice where necessary.

4 I Mina'Bente Sais Na Liheslaturan Guåhan also recognizes and  
5 restates its policy that there will be accountability for all funds expended  
6 under this and any emergency declaration.

7 **Section 2. Typhoon Chata'an Emergency Authorization.**

8 Notwithstanding any other provisions of law or this Act, I Maga'lahen  
9 Guåhan is authorized to utilize any part or portion, not to exceed Five  
10 Hundred Thousand Dollars (\$500,000.00) of outstanding FY2002  
11 Executive Branch appropriations within the General Fund for expenses  
12 caused by civil defense, public safety or health emergencies as a result of  
13 Typhoon Chata'an.

14 **Section 3. Reversion.** Any appropriation authorized under  
15 this Act which has not been encumbered or expended within sixty (60)  
16 days of enactment of this Act shall revert back to the General Fund.

17 **Section 4. Reporting Requirement.** *I Maga'lahen Guåhan* shall  
18 prepare a detailed report on all transfers, expenditures and  
19 reimbursements by all and any agency or department, and the Mayor's  
20 Council, directly related to Typhoon Chata'an or the funds appropriated  
21 herein. All reports required herein shall be submitted to the Speaker of I  
22 Mina'Bente Sais Na Liheslaturan Guåhan within five (5) days of the  
23 transfer, expenditure or reimbursement. A closeout report of the

1 expenditures of the funds appropriated herein shall be filed within sixty  
2 (60) days of the enactment of this Act.

3 **Section 5. Emergency Procurement.** Notwithstanding any  
4 other provision of law, the Mayor's Council of Guam shall, for a period  
5 of ten (10) calendar days from the effective date of this Act, be exempt  
6 from the restrictions in the Guam Procurement Law in § 5215 of Title 5  
7 of the Guam Code Annotated, Emergency Procurement, as well as the  
8 applicable General Service Agency Procurement Regulations. This  
9 emergency procurement shall be subject to the emergency declaration of  
10 *I Maga'lahren Guåhan*, and shall be only for the purposes related to  
11 Typhoon Chata'an.

12 **Section 6. Temporary Staging Areas for Super Typhoon Debris.**  
13 The mayors of each Village are hereby authorized, in coordination with  
14 the Guam Environmental Protection Agency ("GEPA"), to establish  
15 temporary staging areas for Typhoon Chata'an debris. The Mayors, in  
16 conjunction with the Department of Public Works ("DPW"), shall clear  
17 the staging areas established under this Act as soon as practicable.

18 **Section 7. Reimbursement.** Reimbursement of any funds  
19 expended under this Act from Federal sources, including the Federal  
20 Emergency Management Authority ("FEMA"), and other sources,  
21 including insurance policies, shall be returned to the source from which  
22 the funds originated, to the extent that Federal laws permit.

1           The Director of the Department of Military Affairs shall maintain  
2 detailed accounting records pertaining to the expenditures authorized  
3 under this Act.

4           Within thirty (30) days from the receipt of the initial  
5 reimbursement from FEMA, and thirty (30) days after each subsequent  
6 reimbursement from FEMA, the Director of Military Affairs shall submit  
7 a detailed report of such expenditures and reimbursements authorized  
8 under this Act to the Speaker of I Liheslaturan Guåhan.

9           **Section 8. Expenses Beyond Emergency Appropriation.** Any  
10 additional funding necessary for the recovery of Typhoon Chata'an shall  
11 require I Maga'lahaen Guåhan to submit a detailed assessment of  
12 projected expenses to the Speaker of I Liheslaturan Guåhan.

13           **Section 9. Severability.** If any provision of this Law or its  
14 application to any person or circumstance is found to be invalid or  
15 contrary to law, such invalidity shall not affect other provisions or  
16 applications of this Law which can be given effect without the invalid  
17 provisions or application, and to this end the provisions of this Law are  
18 severable.