



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JUL 26 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 Substitute Bill No. 357 (COR) "AN ACT TO AMEND § 2 OF P.L. NO. 26-116, RELATIVE TO APPROPRIATING THE NECESSARY FUNDS TO MEET THE EMERGENCY RECOVERY NEEDS OF GUAM RESULTING FROM TYPHOONS CHATA'AN AND HALONG, AND SUPERTYPHOON FENGSHEN AND FOR OTHER PURPOSES," which I have signed into law as Public Law No. 26-117.

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	10:15
Date	7/29/02

0864

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


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

This is to certify that Substitute Bill No. 357 (COR), "AN ACT TO AMEND § 2 OF P.L. NO. 26-116, RELATIVE TO APPROPRIATING THE NECESSARY FUNDS TO MEET THE EMERGENCY RECOVERY NEEDS OF GUAM RESULTING FROM TYPHOONS CHATA'AN AND HALONG, AND SUPERTYPHOON FENGSHEN AND FOR OTHER PURPOSES," was on the 24<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 Guåhan this 25<sup>th</sup> day of July, 2002,  
at 4:10 o'clock P.M.

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

APPROVED:  
  
\_\_\_\_\_  
**CARL T. C. GUTIERREZ**  
I Maga'lahen Guåhan

Date: 7-26-02

Public Law No. 26-117

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

**Bill No. 357 (COR)**

As substituted and amended in the  
Committee of the Whole.

Introduced by:

Chairman, Committee on  
Rules, General Governmental  
Operations, Reorganization  
and Reform, and Federal,  
Foreign and General Affairs.

By request of *I Maga'Lahen*  
*Guåhan*, in accordance with  
the Organic Act of Guam.

Mark Forbes

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V. C. Pangelinan

F. B. Aguon, Jr.

J. F. Ada

T. C. Ada

J. M.S. Brown

E. B. Calvo

F. P. Camacho

M. C. Charfauros

L. F. Kasperbauer

L. A. Leon Guerrero

K. S. Moylan

A. L.G. Santos

J. T. Won Pat

**AN ACT TO AMEND § 2 OF P.L. NO. 26-116,  
RELATIVE TO APPROPRIATING THE NECESSARY  
FUNDS TO MEET THE EMERGENCY RECOVERY  
NEEDS OF GUAM RESULTING FROM TYPHOONS  
CHATA'AN AND HALONG, AND SUPERTYPHOON  
FENGSHEN AND FOR OTHER PURPOSES.**

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

2           **Section 1. Legislative Findings and Intent.** Typhoon Chata'an struck  
3 Guam on July 5, 2002 and left the Island in need of *extensive* recovery in areas  
4 concerning the delivery of water and power; the clearing of roadways;  
5 reconstruction of infrastructure, such as bridges; and feeding and sheltering  
6 homeless individuals and families. While the typhoon strength of Chata'an  
7 was *not* as severe as some of Guam's former typhoons, Typhoon Chata'an's  
8 winds dwelled over Guam for numerous hours, breaking down many trees  
9 and causing considerable damage. The recovery effort from Typhoon  
10 Chata'an must be as quick and as responsive as the recovery efforts from  
11 other typhoons experienced in the past.

12           Guam must put the necessary resources together in order to put our  
13 Island back in order. Our People are severely inconvenienced in the lack of  
14 water and power, and debris everywhere. To maximize our response, and to  
15 give further confidence to the business community and the tourism industry  
16 that Guam will shortly be the beautiful Island destination that it is,  
17 appropriate authorization to recover from this typhoon is needed and  
18 provided for herein.

19           **Section 2.** Section 2 of Public Law Number 26-116 is hereby *amended* to  
20 read as follows:

21           **"Section 2. Expenditure Authority.** Beginning July 3,  
22 2002 and for forty-five (45) days from the enactment of this Act, *I*  
23 *Maga'lahaen Guåhan* may spend up to Five Million Dollars (\$5,000,000) of  
24 the unexpended proceeds of the new money bonds under Article 10,

1 Chapter 22 of Title 5 of the Guam Code Annotated, currently slated for  
2 Phase II of the Tumon Redevelopment Project, *up to* Eight Million  
3 Dollars (\$8,000,000) from the unreserved fund balance of the Territorial  
4 Highway Bond, *up to* One Million Eight Hundred Thousand Dollars  
5 (\$1,800,000) from the unreserved fund balance of the Educational Bond  
6 Fund, and notwithstanding any other provision of law, a sum *not to*  
7 *exceed* in aggregate Two Million Six Hundred Thousand Dollars  
8 (\$2,600,000) from Special Funds of the Executive Branch of the  
9 government of Guam, for Typhoon Chata'an and Typhoon Halong  
10 recovery efforts.

11 To the greatest extent possible, typhoon-related expenditures shall  
12 be those pre-approved by Federal Emergency Management Agency  
13 ('FEMA') for reimbursement to the government of Guam, for the  
14 purpose of providing and restoring damaged government services and  
15 infrastructure to the People of Guam resulting from Typhoon Chata'an  
16 or Typhoon Halong which serve to benefit and promote public health,  
17 safety, sanitation and welfare, including, but *not* limited to, restoration  
18 of roads and highways; restoration of power; restoration of water;  
19 restoration of telephone; repair of schools to pre-typhoon conditions,  
20 both private and public, with *priority* of spending to public schools;  
21 repair of facilities belonging to non-profit organizations to pre-typhoon  
22 conditions; repair of public buildings; restoration of public parks;  
23 restoration of sports facilities; interim public housing; repairing damage  
24 to government property; overtime compensation for existing personnel

1 needed to perform emergency and restorative services; and classified  
2 supervisory personnel overtime, including, but *not* limited to, police,  
3 fire, public health and hospital, and for other services consistent with  
4 the intent of this Act.”

5 **Section 3. Assistance to Commercial Farmers.**

6 (a) **Grants to Farmers for Storm Damages.** The sum  
7 of Five Hundred Thousand Dollars (\$500,000.00) is hereby  
8 appropriated from Special Funds of the Executive Branch of the  
9 government of Guam for Typhoons Chata’an and Halong, and  
10 Supertyphoon Fengshen recovery efforts for the purpose of  
11 providing disaster relief in the form of individual grants to *bona*  
12 *fide* commercial farmers of Guam, including aquaculture farmers,  
13 for losses incurred as a result of Typhoons Chata’an and Halong,  
14 and Supertyphoon Fengshen.

15 (b) **Administration of Grants.** The University of Guam’s  
16 College of Agriculture and Life Sciences (“CALs”) shall develop,  
17 within ten (10) calendar days of the enactment hereof, the grants  
18 authorized herein based upon an inversed sliding scale. The  
19 grants provided for in Subsection (a) herein shall be administered  
20 by CALs, in cooperation with the Department of Agriculture and  
21 the Guam Economic Development and Commerce Authority to  
22 insure accessibility and availability to all *bona fide* farmers of  
23 Guam. CALs is hereby authorized to utilize ten percent (10%) of

1 the funds appropriated in Subsection (a) to offset the costs to  
2 develop and administer this program.

3 (c) **Eligibility.** Only those commercial farmers  
4 registered with the Department of Agriculture or the Guam  
5 Economic Development and Commerce Authority and whose  
6 losses are certified by the Department of Agriculture or the Guam  
7 Economic Development and Commerce Authority shall be eligible  
8 for assistance under the terms of this Act.

9 (d) **Availability.** The grants created herein shall be  
10 made available with fifteen (15) days after enactment of this Act  
11 and for forty-five (45) days thereafter. Any funds appropriated  
12 hereunder and unexpended sixty-five (65) days thereafter shall  
13 revert to the General Fund.

14 **Section 4. Inarajan and Talofofo Bay Erosion Control Appropriation.**

15 The sum of One Hundred Fifty Thousand Dollars (\$150,000.00) is hereby  
16 appropriated to the Department of Public Works from Special Funds of the  
17 Executive Branch of the government of Guam for the *exclusive* purpose of  
18 erosion control and mitigation of Inarajan Bay and Talofofo Bay; *provided*, that  
19 every effort be made to attain funds from FEMA or any other Federal  
20 program for such projects *prior* to local expenditures.

21 **Section 5. Reserve Fund.**

22 (a) Notwithstanding any other provision of law, the sum of One  
23 Million Five Hundred Thousand Dollars (\$1,500,000), shall be reserved  
24 from the Territorial Highway Fund, and the sum of One Million Five

1       Hundred Thousand Dollars (\$1,500,000) shall be reserved from the  
2       Village Street Fund. Such sums shall *not* be transferred nor be expended  
3       without further Legislative appropriation.

4               (b) Notwithstanding any other provision of law, *I Maga'lahen*  
5       *Guâhan* is required to take *immediate* actions necessary to expedite the  
6       purpose of this Section.

7       **Section 6. Severability.**   *If* any provision of this Law or its  
8       application to any person or circumstance is found to be invalid or contrary to  
9       law, such invalidity shall *not* affect other provisions or applications of this  
10      Law which can be given effect without the invalid provisions or application,  
11      and to this end the provisions of this Law are severable.



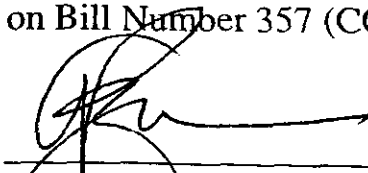


**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

**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 357 (COR), "AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO MEET RECOVERY EFFORTS OF GUAM RESULTING FROM THE DAMAGES INCURRED FROM TYPHOONS CHATA'AN AND HALONG," which was introduced on this date, July 24, 2002, and therefore waive the statutory requirements for a public hearing on Bill Number 357 (COR).

Dated: July 24, 2002

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

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# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 7/24/02

## VOTING SHEET

S Bill No. 357(COR)

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

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

20-117

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
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.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

15    0    0    0    0

CERTIFIED TRUE AND CORRECT:

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

\* 3 Passes = No vote  
EA = Excused Absence

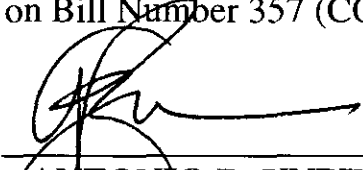


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Speaker and Presiding Officer

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8 winds dwelled over Guam for numerous hours, breaking down many trees  
9 and causing considerable damage. The recovery effort from Typhoon  
10 Chata'an must be as quick and as responsive as the recovery efforts from  
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12           Guam must put the necessary resources together in order to put our  
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14 purpose of providing and restoring damaged government services and  
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16 or Typhoon Halong which serve to benefit and promote public health,  
17 safety, sanitation and welfare, including, but *not* limited to, restoration  
18 of roads and highways; restoration of power; restoration of water;  
19 restoration of telephone; repair of schools to pre-typhoon conditions,  
20 both private and public, with *priority* of spending to public schools;  
21 repair of facilities belonging to non-profit organizations to pre-typhoon  
22 conditions; repair of public buildings; restoration of public parks;  
23 restoration of sports facilities; interim public housing; repairing damage  
24 to government property; overtime compensation for existing personnel

1 needed to perform emergency and restorative services; and classified  
2 supervisory personnel overtime, including, but *not* limited to, police,  
3 fire, public health and hospital, and for other services consistent with  
4 the intent of this Act.”

5 **Section 3. Assistance to Commercial Farmers.**

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11 providing disaster relief in the form of individual grants to *bona*  
12 *fide* commercial farmers of Guam, including aquaculture farmers,  
13 for losses incurred as a result of Typhoons Chata’an and Halong,  
14 and Supertyphoon Fengshen.

15 (b) **Administration of Grants.** The University of Guam’s  
16 College of Agriculture and Life Sciences (“CALS”) shall develop,  
17 within ten (10) calendar days of the enactment hereof, the grants  
18 authorized herein based upon an inversed sliding scale. The  
19 grants provided for in Subsection (a) herein shall be administered  
20 by CALS, in cooperation with the Department of Agriculture and  
21 the Guam Economic Development and Commerce Authority to  
22 insure accessibility and availability to all *bona fide* farmers of  
23 Guam. CALS is hereby authorized to utilize ten percent (10%) of

1 the funds appropriated in Subsection (a) to offset the costs to  
2 develop and administer this program.

3 (c) **Eligibility.** Only those commercial farmers  
4 registered with the Department of Agriculture or the Guam  
5 Economic Development and Commerce Authority and whose  
6 losses are certified by the Department of Agriculture or the Guam  
7 Economic Development and Commerce Authority shall be eligible  
8 for assistance under the terms of this Act.

9 (d) **Availability.** The grants created herein shall be  
10 made available with fifteen (15) days after enactment of this Act  
11 and for forty-five (45) days thereafter. Any funds appropriated  
12 hereunder and unexpended sixty-five (65) days thereafter shall  
13 revert to the General Fund.

14 **Section 4. Inarajan and Talofofu Bay Erosion Control Appropriation.**

15 The sum of One Hundred Fifty Thousand Dollars (\$150,000.00) is hereby  
16 appropriated to the Department of Public Works from Special Funds of the  
17 Executive Branch of the government of Guam for the *exclusive* purpose of  
18 erosion control and mitigation of Inarajan Bay and Talofofu Bay; *provided*, that  
19 every effort be made to attain funds from FEMA or any other Federal  
20 program for such projects *prior* to local expenditures.

21 **Section 5. Reserve Fund.**

22 (a) Notwithstanding any other provision of law, the sum of One  
23 Million Five Hundred Thousand Dollars (\$1,500,000), shall be reserved  
24 from the Territorial Highway Fund, and the sum of One Million Five



1           Hundred Thousand Dollars (\$1,500,000) shall be reserved from the  
2           Village Street Fund. Such sums shall *not* be transferred nor be expended  
3           without further Legislative appropriation.

4           (b) Notwithstanding any other provision of law, *I Maga'lahen*  
5           *Guåhan* is required to take *immediate* actions necessary to expedite the  
6           purpose of this Section.

7           **Section 6. Severability.** *If* any provision of this Law or its  
8           application to any person or circumstance is found to be invalid or contrary to  
9           law, such invalidity shall *not* affect other provisions or applications of this  
10          Law which can be given effect without the invalid provisions or application,  
11          and to this end the provisions of this Law are severable.

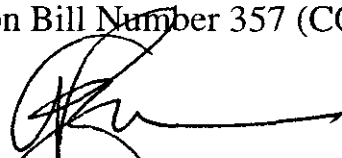


**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

**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 357 (COR), "AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO MEET RECOVERY EFFORTS OF GUAM RESULTING FROM THE DAMAGES INCURRED FROM TYPHOONS CHATA'AN AND HALONG," which was introduced on this date, July 24, 2002, and therefore waive the statutory requirements for a public hearing on Bill Number 357 (COR).

Dated: July 24, 2002

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

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
TWENTY-SIXTH GUAM LEGISLATURE  
2002 (FIRST) Regular Session

BILL NO. 357(COR)

Introduced by:

Chairman, Committee on Rules, General  
Governmental Operations, Reorganization  
And Reform, and Federal, Foreign And  
General Affairs.

by request of *I Maga'lahaen Guåhan*,  
the Governor of Guam, in accordance  
with the Organic Act of Guam.

AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO MEET  
RECOVERY EFFORTS OF GUAM RESULTING FROM THE  
DAMAGES INCURRED FROM TYPHOONS CHATA'AN AND  
HALONG

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

2

3           **Section 1. Short Title.** Notwithstanding any other provision of law, a sum not to  
4 exceed Three Million Dollars (\$3,000,000) is hereby appropriated from any Special  
5 Fund of the Executive Branch of the government of Guam for Typhoon Chata'an and  
6 Typhoon Halong recovery efforts.

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