



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

DEC 09 2002

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

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 430 (COR), "AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON PONGSONA", which I have **signed** into law on December 9, 2002 as **Public Law No. 26-155**.

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	
ACKNOWLEDGEMENT RECEIPT	
Received by	<i>[Signature]</i>
Time	12/9/02
Date	12/30/02

01015

I MINA'BENTE SAIS NA LIHESLAURAN GUAHAN  
2002 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Bill No. 430 (COR) "AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON PONGSONA," was on the 9<sup>th</sup> day of December, 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'lahaen Guahan this 9<sup>th</sup> day of December, 2002, at 6:30 o'clock p.m.

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

APPROVED:

  
\_\_\_\_\_  
CARL T.C. GUTIERREZ  
I Maga'lahaen Guahan

Date: 12-9-02

Public Law No. 26-155

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

**Bill No. 430 (COR)**

As amended.

Introduced by:

V. C. Pangelinan  
Mark Forbes  
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  
L. F. Kasperbauer  
L. A. Leon Guerrero  
K. S. Moylan  
A. L.G. Santos  
J. T. Won Pat

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

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

2           **Section 1. Legislative Findings and Intent.**    *I Liheslaturan Guahan*  
3 finds that Typhoon Pongsona has hit Guam with devastating and destructive  
4 winds. It is therefore the intent of *I Mina'Bente Sais Na Liheslaturan Guahan* to  
5 immediately address this emergency situation. This regular session of *I Mina'*  
6 *Bente Sais Na Liheslaturan Guahan*, as convened by the Speaker, is called upon

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

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

7 **Section 2. Typhoon Pongsona Emergency Authorization.**

8 Notwithstanding any other provisions of law or this Act, *I Maga'lahaen Guahan*  
9 is authorized to utilize any part or portion, *not to exceed* Three Million Dollars  
10 (\$3,000,000.00), of the General Fund of the Government of Guam, for expenses  
11 for civil defense, public safety or health emergencies resulting from Typhoon  
12 Pongsona. The appropriation contained herein shall be used for typhoon-  
13 related non-regular expenditures incurred after December 6, 2002.

14 **Section 3.** *I Maga'laha* is hereby authorized to transfer any cash  
15 available in all special funds of the Executive Branch to the General Fund to  
16 fund the appropriation authorized in Section 2 of this Act.

17 **Section 4.** *I Maga'laha* is hereby authorized to spend any  
18 unencumbered balances of the unexpended proceeds of the new money  
19 bonds under Article 10, Chapter 22 of Title 5 of the Guam Code Annotated,  
20 currently slated for Phase II of the Tumon Redevelopment Project, from the  
21 unreserved fund balance of the Territorial Highway Bond, and from the  
22 unreserved fund balance of the Educational Bond Fund.

23 Any appropriation authorized under this Section, which has not been  
24 encumbered or expended within sixty (60) days of enactment of this Act, shall  
25 revert back to the original sources from which the funds were derived.

1           **Section 5. Reversion.** Any appropriation authorized under this Act  
2 which has *not* been encumbered or expended within sixty (60) days of  
3 enactment of this Act shall revert back to the General Fund.

4           **Section 6. Reporting Requirement.** *I Maga'lahaen Guahan* shall prepare  
5 a detailed report on all transfers, expenditures and reimbursements by all and  
6 any agency or department, and the Mayors' Council, directly related to  
7 Typhoon Pongsona or the funds appropriated herein. All reports required  
8 herein shall be submitted to the Speaker of *I Mina' Bente Sais Na Liheslaturan*  
9 *Guahan* within five (5) days of transfer, expenditure or reimbursement. A  
10 closeout report of the expenditures of the funds appropriated herein shall be  
11 filed within sixty (60) days of the enactment of this Act.

12           **Section 7. Temporary Staging Areas of Typhoon Debris.** The Mayors  
13 of each Village are hereby authorized, in coordination with the Guam  
14 Environmental Protection Agency ("GEPA"), to establish *temporary* staging  
15 areas for Typhoon Pongsona debris. The Mayors, in conjunction with the  
16 Department of Public Works ("DPW"), shall clear the staging areas  
17 established under this Act as soon as practicable.

18           **Section 8. Reimbursement.** Reimbursement of any funds expended  
19 under this Act from federal sources, including the Federal Emergency  
20 Management Authority ("FEMA"), and other sources, including insurance  
21 policies, shall be reimbursed to the source from which the funds originated, to  
22 the extent that Federal laws permit.

23           The Director of the Department of Military Affairs shall maintain  
24 detailed accounting records pertaining to the expenditures under this Act.

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

6           **Section 9. Expenses Beyond Emergency Appropriation.** Any  
7 additional funding necessary for the recovery of Typhoon Pongsona shall  
8 require *I Maga'lahaen Guahan* to submit a detailed assessment of projected  
9 expenses to the Speaker of *I Liheslaturan Guahan* for appropriation by *I*  
10 *Liheslaturan Guahan*.

11           **Section 10.** Contracts entered into pursuant to this Act shall not exceed  
12 a term of thirty (30) days.

13           **Section 11. Authorization to program funds.** The Guam Waterworks  
14 Authority is hereby authorized to reprogram and expend a maximum of Two  
15 Million Dollars (\$2,000,000.00) from their operational budget, as appropriated  
16 in Public Law 26-151, for the following purposes related to the recovery  
17 efforts of Typhoon Pongsona:

18                   (a) overtime payment of its employees; and

19                   (b) procurement of necessary materials and items.

20           **Section 12. Expedited Procurement Authorized.** Notwithstanding the  
21 Guam Procurement Law, the Guam Waterworks Authority is hereby  
22 authorized to purchase necessary materials and items as funded for in Section  
23 11(b) of this Act; provided that the Guam Waterworks Authority must solicit  
24 at least three (3) informal price quotations, and must award the procurement

1 to the firm with the best offer, as determined by evaluating cost and delivery  
2 time.

3 **Section 13. Severability.** *If* any provision of this Law or its  
4 application to any person or circumstance is found to be invalid or contrary to  
5 law, such invalidity shall *not* affect other provisions or applications of this  
6 Law which can be given effect without the invalid provisions or application,  
7 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 LIHESLAURAN GUAHAN, 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 430 (COR), "AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON PONGSONA," which was introduced on this date, December 9, 2002, and therefore waive the statutory requirements for a public hearing on Bill Number 430 (COR).

Dated: December 9, 2002

Antonio R. Unpingco  
Speaker and Presiding Officer





CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

December 8, 2002

The Honorable George W. Bush  
President  
United States of America  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C.

Via: Regional Director  
FEMA Region IX  
Presidio of San Francisco, CA 94129

Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, and implemented by 44 CFR Part 206.36, I humbly request that you declare a major disaster for the Government of Guam as a result of Super Typhoon (31W) "Pongsona" that struck the island this date.

Super Typhoon "Pongsona", while moving towards the west-northwest from the general direction of latitude 13.7 degrees and longitude 145.2, continues to batter the island of Guam. The Typhoon strength winds began early this afternoon and have not subsided after 7 hours. The eye of the storm passed over the northern part of the island at 4:00 pm, however the majority of Guam remained in the western eye-wall of the typhoon.

At 5:00 pm the National Weather Service declared Pongsona to be a Super Typhoon that continues at this hour. Estimated sustained winds of 150 mph and gusts of 180 mph. However, please understand that the National Weather Service advises us that their wind measuring and local radar equipment has been destroyed and these wind speeds may actually be higher.

The Guam Memorial Hospital, the only public hospital for the island's civilian community of approximately 160,000 people, has been badly damaged, including damage to the Emergency Room. Furthermore, patients, including the entire pediatric ward, have had to be evacuated from the facility. The hospital is currently running on generator power and is being supplied with potable water via tanker trucks. This situation needs to be addressed with urgency as a matter of public health and safety.

Our emergency services have been badly compromised as a result of damage to the 911 and related public health and safety communications systems. The entire island is still without electricity. This situation will continue for several weeks as the island wide power transmission and distribution system is brought back on line. The water and sanitary sewer system is also not fully operable and will take several days to partially restore. Full restoration will no doubt take several weeks. This situation with our power and water utilities not only impacts the civilian community but is also a burden for thousands of military personnel and their dependants.

It is too early to assess damage to the island's highway and secondary road system, however it is clear from initial observation that structural damage occurred to at least some bridges. Our immediate priority is the clearing of primary and secondary roads of heavy debris in order to facilitate getting badly needed assistance to all who need it.

Residents of all nineteen of the island's villages, as well as business and commerce island-wide, and the government of Guam have been severely impacted by the Super Typhoon. Fortunately, and due in large part to previous partnering with the federal government in hazard mitigation and storm hardening efforts, as of this time no deaths or life threatening injuries have been reported.

Approximately 2,500 people are currently in government operated typhoon shelters. However, we expect this number to increase dramatically as once the storm subsides these and many other people will be returning to severely damaged homes or no homes at all.

Mr. President, in July you issued a Disaster Declaration after our island was struck by Typhoon Chata'an and tens of millions of dollars in damage and losses were suffered by individuals, the private and public sectors. By way of comparison Super Typhoon Pongsona is much greater in intensity and duration. There is no doubt that the impact of this latest storm will be much more devastating.

In response to everything that I have described above, I have taken appropriate action under our laws and directed the immediate execution of the Guam Emergency Response Plan. After personally touring the island seeing first hand the initial devastation I issued an Executive Order dated December 8, proclaiming the entire island of Guam to be in a State of Emergency. A copy of my Executive Order is attached for your review.

A preliminary damage assessment will be conducted as soon conditions permit. But just from our initial observations it is clear that because of the extent of damage and the limited number of engineers we have on our island it will take additional time to determine the typhoon's full impact on Guam's infrastructure.

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I therefore, request an "expedited major federal disaster declaration" to provide direct federal assistance (Categories A and B) to address our immediate and critical needs to protect the public's health and safety and dispose of the debris created by Super Typhoon Pongsona. In addition to our emergency needs I specifically request the Individual and Households, Public Assistance, Hazard Mitigation, and the Small Business Administration programs be provided by way of an expedited declaration of a major disaster.

Estimates of the types and amount of assistance needed under Public Law 93-288, as amended, will be provided upon completion of this assessment. Enclosures A-C that would normally accompany this request will be provided at a later date.

It is obvious Super Typhoon Pongsona has caused significant damage to our island's infrastructure, power, water and wastewater systems, and that this damage is beyond our ability to recover from without federal assistance. I certify that for this major disaster, the Government of Guam will assume all applicable non-Federal share of costs required by Public Law 93-288, as amended.

I have determined that the severity and magnitude of this event exceeds the capabilities of Government of Guam; and that there are insufficient local resources (technical and monetary) to effectuate recovery from this disaster. In accordance with 44 CFR 206.208, I request direct Federal assistance for work and services to assure the health and safety of the citizens of Guam and to protect property in both the public and private sectors.

In accordance with 44 CFR 206.28, the Government of Guam agrees to the extent allowed by the Constitution and the Organic Act that it will, with respect to direct Federal assistance:

1. Provide without cost to the United States all lands, easements and rights-of-way necessary to accomplish the approved work;
2. Hold and save the United States free from damages due to the requested work, and shall indemnify the Federal Government against any claims arising from such work;
3. Provide reimbursement to FEMA for the non-Federal share of the cost of such work in accordance with the provisions of the FEMA-State agreement; and
4. Assist the performing Federal agency in all support and local jurisdictional matters.

The Honorable George W. Bush  
Request for Presidential Declaration  
Page 4

I am designating Mr. Joe G. Javellana III, Administrator, Office of Civil Defense, as the State Coordinating Officer for this request. He will work with the Federal Emergency Management Agency in damage assessment and may provide further information or jurisdiction on my behalf.

Very truly yours,



**CARL T.C. GUTIERREZ**

Governor of Guam

Enclosure

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DEPARTMENT OF MILITARY AFFAIRS  
OFFICE OF CIVIL DEFENSE

Ufisinan Difensia Sibet  
P.O. Box 2877 Hagatna, Guam 96932  
TEL: (671) 475-9600 FAX: (671) 477-3727



CARL T.C. GUTIERREZ  
Governor of Guam  
Maga' Iahi

BG JERRY M. RIVERA  
The Adjutant General

MADELEINE Z. BORDALLO  
Lt. Governor  
Tinente Gubetnadora

JOE G. JAVELLANA III  
Administrator

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## GOVERNOR DECLARES STATE OF EMERGENCY

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*Executive Order Activates National Guard*

### FOR IMMEDIATE RELEASE

2 PM - Sunday December 8, 2002

Governor Carl T. C. Gutierrez has placed the island in a State of Emergency and activated the Guam National Guard to assist with the disaster response and recovery effort.

Executive Order 2002-24 was executed late this morning (10:00 AM) as the island braced for the onslaught of 100+ mile per hour winds and wind gusts to 150 mph that forecasters predicted as highly likely throughout the afternoon and into the early evening.

The National Guard is to assist government agencies as needed including emergency responders (police, fire), utility crews, and the Departments of Education (shelters), Public Works (initial debris removal from roads, etc.), and elsewhere as needed.

The Order also directs government agencies to undertake preliminary damage assessments when the island is returned to Typhoon Condition 4 and to report back within 24 hours.

The Executive Order also allows implementation of emergency procurement authority for initial response and recovery efforts.

As of 1 p.m. more than 2,200 people had sought safety in 15 public schools that have been pressed into service as emergency shelters.

Emergency crews continue to help those who need assistance because of the threat of high winds and flooding.

Response Coordinators at the Civil Defense Command Center in Agana Heights have received eyewitness accounts of downed utility poles and tree limbs; tin, wood, and other debris. There is also an eyewitness account of a badly damaged and possibly destroyed home in Yigo.

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As of this hour there are no reports of serious injury.

Power and water outages have been reported in scattered areas throughout the island. As of this hour the Guam Power Authority says it is still providing power to some parts of the island.

It is expected that GPA will power down its generating system sometime before Pongsona's closest point of approach for safety reason and as a storm protection measure.

Low water pressure and total outages in scattered areas throughout the island have been reported by the Guam Waterworks Authority.

##

Contact: John Ryan, 688.5768; 721.9843; or Civil Defense at 475.9600.

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**EXECUTIVE ORDER NO. 2002-24**

**RELATIVE TO DECLARING AN EMERGENCY IN ORDER TO EXPEDITE  
THE ISLAND-WIDE RECOVERY FROM TYPHOON PONGSONA AND FOR  
THE PROVISION OF SERVICES BY THE GUAM NATIONAL GUARD TO  
ASSIST THE GOVERNMENT OF GUAM**

**WHEREAS**, as of 10:00 a.m., Sunday, December 8, 2002, the government of Guam has been advised by the National Weather Service, that Typhoon Pongsona will be making its closest point of approach to the island of Guam between 2:00 and 3:00 p.m. the same day; and

**WHEREAS**, Emergency Operations Center at the Office of Civil Defense has been established and Response Activity Coordinators (RACs) have been activated to duty as of 8:00 p.m., Saturday, December 7, 2002 in preparation for the onset of destructive winds and rains from Typhoon Pongsona; and

**WHEREAS**, as of 5:00 p.m., Saturday, December 7, 2002, the Department of Education has opened emergency shelters at public schools throughout Guam for residents displaced from their homes and seeking safe refuge from the damaging winds and rain expected from Typhoon Pongsona. As of 10:00 a.m., Sunday, December 8, 2002, approximately 2,000 residents had relocated to these shelters; and

**WHEREAS**, the government of Guam is in need of heavy equipment for use throughout the island in anticipation of heavy rainfall, widespread flooding and heavy accumulation of debris island-wide caused by Typhoon Pongsona; and

**WHEREAS**, a current state of emergency continues to exist relative to the ability of the Guam Waterworks Authority to maintain water services to the island of Guam and as of 10:00 a.m., water service has been lost at several of the emergency shelters and there is growing concern over the health and welfare of shelter occupants; and

**WHEREAS**, transportation services on Guam at the Antonio B. Won Pat International Airport (Guam International Airport Authority) and the Jose B. Leon Guerrero Commercial Port of Guam (Port Authority of Guam) have been halted; and

**WHEREAS**, the services of the Guam National Guard are needed to assist the local government, particularly the Department of Public Works, the Guam Waterworks Authority, the Guam Power Authority, the Department of Education, the Department of Public Health and Social Services, the Guam Police Department and the Guam Fire Department, along with other departments and agencies; and

**WHEREAS**, the government is now in dire need of funds and resources to pay for basic equipment, supplies, personnel overtime costs, and other response and recovery expenses that will be borne in order to get the recovery process underway and to ensure that the basic needs of the people of Guam are met; and

**WHEREAS**, the Federal Emergency Management Agency, FEMA, has responded to the disaster situation by deploying several FEMA personnel including Mr. William Carville, Federal Coordinating Officer, from the United States mainland to assist the government of Guam with its preliminary damage assessments;

**NOW, THEREFORE, I, CARL T.C. GUTIERREZ**, I Maga'Lahen Guahan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:

1. **Declaration of State of Emergency.** A state of emergency is hereby declared for the island of Guam as a result of Typhoon Pongsona.
2. **Preliminary damage assessments.** All department and agency heads of the government of Guam are hereby directed to conduct preliminary damage assessments in conjunction with the Office of Civil Defense and the Bureau of Statistics and Plans, as soon as the island is returned to Condition 4.
3. **Reporting Requirement.** As much as possible, initial reports on preliminary damage assessments are due from all departments and agencies within Twenty-four (24) hours from the date of this Executive Order.
4. **Emergency procurement and emergency expenses.** Pursuant to §5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, this executive order shall authorize emergency procurement for overtime from December 7, 2002 until December 18, 2002, unless further renewed by the Governor, heavy equipment rental, supplies and materials, DOE typhoon shelter operations, lodging for displaced residents; the expenditures to come from any appropriations made available by the Guam Legislature.
5. **Activation of the Guam National Guard and duties.** The Guam National Guard is hereby activated at 11:00 a.m., December 8, 2002, for at least Ten (10) days until December 18, 2002, unless extended by a subsequent executive order. The activation is to include Army and Air elements. The Adjutant General or his designee, with the approval of the Governor, shall select appropriate personnel from any units needed to perform the missions necessary to respond to the enhanced security requirements at Guam Power Authority and Guam Waterworks Authority power and water facilities.



The activated units or members are directed to render all necessary assistance in providing services relative responding to the disaster on Guam caused by the passage of Typhoon Pongsona.

The Guam National Guard military commanders will take the measure or perform all those activities necessary to prevent, forestall, or combat the effects of the emergency situation. Accomplishment of the above stated missions and the command and control of the command units are the sole responsibility of the Guam National Guard military commander subject to the statutory control of the Governor as Commander-in-Chief.

6. **Documentation of expenses.** All departments and agencies are hereby instructed to keep appropriate documentation on all emergency expenses for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam, and in anticipation of federal disaster assistance approval by the President of the United States to be administered by the Federal Emergency Management Agency.
7. **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any goods and services provided by the Office of Civil Defense of the Department of Military Affairs as the lead agency in the provision of goods and services relative to the response and recovery from Typhoon Pongsona; and continuing for Thirty (30) days after the date of this executive order as provided in § 5215 of Title 5, Guam Code Annotated.

**SIGNED AND PROMULGATED** at Hagatna, Guam this 8<sup>th</sup> day of December, 2002.



**CARL T.C. GUTIERREZ**  
I Maga' Lahan Guahan  
Governor of Guam

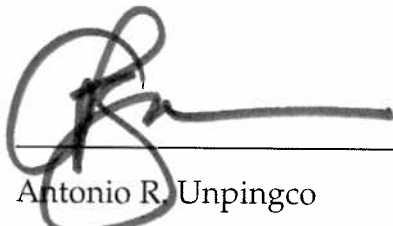


**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

**2002 (SECOND) Regular Session**

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Dated: December 9, 2002

  
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Antonio R. Unpingco  
Speaker and Presiding Officer

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

Bill No. 430 (COB)

Introduced by:

v.c. pangelinan  
M. Forbes  
A. Unpingco

---

AN ACT TO APPROPRIATE FUNDS FOR  
EMERGENCY EXPENDITURES RESULTING FROM  
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23 *I Liheslaturan Guahan*.

24 **Section 9. Expenses Beyond Emergency Appropriation.** Any additional  
25 funding necessary for the recovery of Typhoon Pongsona shall require *I*

1 *Maga'lahren Guahan* to submit a detailed assessment of projected expenses to  
2 the Speaker of *I Liheslaturan Guahan* for appropriation by *I Liheslaturan*  
3 *Guahan*.

4 **Section 10.** Contracts entered into pursuant to this Act shall not exceed  
5 a term of thirty (30) days.

6 **Section 11. Authorization to program funds.** The Guam Waterworks  
7 Authority is hereby authorized to reprogram and expend a maximum of Two  
8 Million Dollars (\$2,000,000.00) from their operational budget, as appropriated  
9 in Public Law 26-151, for the following purposes related to the recovery  
10 efforts of Typhoon Pongsona:

11 (a) overtime payment of its employees; and

12 (b) procurement of necessary materials and items.

13 **Section 12. Expedited Procurement Authorized.** Notwithstanding the  
14 Guam Procurement Law, the Guam Waterworks Authority is hereby  
15 authorized to purchase necessary materials and items as funded for in Section  
16 8(b) of this Act; provided that the Guam Waterworks Authority must solicit at  
17 least three (3) informal price quotations, and must award the procurement to  
18 the firm with the best offer, as determined by evaluating cost and delivery  
19 time.

20 **Section 13. Severability.** *If* any provision of this Law or its  
21 application to any person or circumstance is found to be invalid or contrary to  
22 law, such invalidity shall *not* affect other provisions or applications of this  
23 Law which can be given effect without the invalid provisions or application,  
24 and to this end the provisions of this Law are severable.