



OFFICE OF THE GOVERNOR
HAGÁTÑA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 2005- 04

**RELATIVE TO DECLARING A STATE OF EMERGENCY RELATIVE
TO THE RENTAL OF OFFICE SPACE FOR THE OFFICE OF THE
ATTORNEY GENERAL OF GUAM**

WHEREAS, on or about April 23, 2004, the Office of the Attorney General received a notice from the Administrator of the Courts stating that the Office of the Attorney General has failed to pay rent under the Lease Agreement, the Office of the Attorney General is in default of the Lease Agreement and must pay its unpaid rent or vacate the Judicial Center Building within (30) days of service of the notice; and

WHEREAS, on or about May 28, 2004, the Office of the Attorney General received from the Administrator of the Courts a five (5) day Notice to Pay Rent, for the one-year period of June 2003 through May 2004 in full, or Quit, together with a thirty (30) day Notice to Terminate Tenancy as of 5:00 p.m. Wednesday, June 30, 2004 requiring the Office of the Attorney General to surrender to the Superior Court of Guam possession of the premises described as 14,355 square feet of office space on the second floor of the new Judicial Building located in Hagatna, Guam; and

WHEREAS, on or about July 9, 2004, the Judicial Council filed an unlawful detainer action in the Superior Court of Guam; and

WHEREAS, the Superior Court of Guam recently denied the Attorney General's Motion to Stay Execution and thereby must vacate the premises by February 28, 2005.

NOW, THEREFORE, I, FELIX P. CAMACHO, *I Maga'låhen Guåhan*, 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 lease of office space for the Office of the Attorney General.
- 2. Emergency Procurement and Emergency Expenses.** Pursuant to 5 G.C.A. § 5215, authorizing emergency procurement upon executive order, and pursuant to 5 G.C.A. § 22402, authorizing the Governor to utilize no more than Two Hundred Fifty Thousand Dollars (\$250,000.00) from General Fund appropriations for the Executive Branch for expenses resulting from civil defense, public safety or health care emergencies, the Director of the Bureau of Budget and Management Research is authorized to transfer to the Office of the Attorney General of Guam an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) from outstanding appropriations within the General Fund for immediate procurement by the Office of the Attorney General for the rental of office space for the Office of the Attorney General, as provided for under the laws of Guam.
- 3. Documentation of Expenses.** Appropriate documentation on all expenses pertaining to such emergency must be kept for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam.



4. **Department Ordered to Submit Cost Estimates.** Upon execution of this Executive Order, the Office of the Attorney General of Guam and the Bureau of Budget and Management Research shall provide a written report of the expenditures of such funds and their source to *I Liheslaturan Guåhan* and the Public Auditor within five (5) days of such transactions as provided in 5 G.C.A. § 22402.

SIGNED AND PROMULGATED at Hagåtña, Guam this 24th day of February 2005

A handwritten signature in cursive script, appearing to read "F. Camacho".

FELIX P. CAMACHO
I Maga' lãhen Guåhan
Governor of Guam

COUNTERSIGNED:

A handwritten signature in cursive script, appearing to read "K. Moylan".

KALEO S. MOYLAN
I Segundo Maga'lãhen Guåhan
Lieutenant Governor of Guam

