



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

EXECUTIVE ORDER NO. 99-10

DECLARING A STATE OF EMERGENCY FOR EMERGENCY PROCUREMENT AND FOR EMERGENCY EXPENSES RELATIVE TO THE PROVISION OF PERSONNEL, GOODS AND SERVICES BY KOMITEA PARA TIYAN IN THE OPERATION OF THE TIYAN PROPERTY.

WHEREAS, the government of Guam had requested for many years the return of the area formerly known as Naval Air Station, but now known as Tiyan from the U. S. Navy; and

WHEREAS, on January 1998, the government of Guam and the U. S. Navy agreed that the land may be turned over on a lease basis to the government of Guam; and

WHEREAS, the lease contains several provisions that the government of Guam must follow, including but not limited to, security and maintenance; and

WHEREAS, the government of Guam created a Tiyan Office pursuant to Public Law No. 23-45 to ensure compliance with the lease agreement; and

WHEREAS, the funding provided by I Liheslaturan Guåhan, the Guam Legislature, as passed by Public Law No. 25-03 is insufficient for the government of Guam to maintain the Tiyan Office to ensure compliance with the lease agreement; and

WHEREAS, a breach of the lease agreement will cause the Tiyan property to revert back to the U. S. Navy;

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do order:

1. **Declaration of state of emergency.** A state of emergency exists as to the strong possibility of a breach of the lease agreement with the U. S. Navy for the Tiyan property if we do not comply with the terms of the lease agreement; and
2. **Emergency procurement and emergency expenses.** Pursuant to §5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, and pursuant to §22402 of Title 5, Guam Code Annotated, authorizing the Governor to utilize up to Two Hundred Fifty Thousand Dollars (\$250,000) of outstanding



appropriations within the General Fund for expenses caused by the operations of Komitea Para Tiyan, the Director of the Bureau of Budget and Management Research is authorized to transfer to the Komitea Para Tiyan responding to this emergency designated in this Executive Order in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) from outstanding appropriations within the General Fund for immediate procurement to provide personnel and services to respond appropriately to the lease agreement with the U. S. Navy and to comply with Public Law No. 23-45; and

3. **Further authorization for emergency procurement unnecessary.** The authorization for the certification, approval, and expenditure of necessary funds pursuant to §5215 of Title 5, Guam Code Annotated, and §22402 of Title 5, Guam Code Annotated, shall be this Executive Order, subject only to the exhaustion of identified funds. Any funds not so expended shall revert to the General Fund; and
4. **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any personnel and services provided by Komitea Para Tiyan who is responsible for responding to this emergency for the month of August, 1999, 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 Hagåtña, Guam this 31st day of August, 1999.

A handwritten signature in black ink, appearing to read "Carl T. C. Gutierrez".

CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan
Governor of Guam

COUNTERSIGNED:

A handwritten signature in black ink, appearing to read "Madeleine Z. Bordallo".

MADELEINE Z. BORDALLO
I Segunda na Maga'lahaen Guåhan
Lieutenant Governor of Guam

