



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

EXECUTIVE ORDER NO. 99-11

DECLARING A STATE OF EMERGENCY FOR EMERGENCY PROCUREMENT AND FOR EMERGENCY EXPENSES RELATIVE TO CONTINUING TO ENSURE COMPLIANCE WITH THE U. S. NAVY ON THE AGREEMENT TO RETURN TIYAN.

WHEREAS, pursuant to Public Law No. 23-45, the Komitea Para Tiyan was established as the government of Guam agent to represent the people of Guam in its action against the U. S. navy for the return of the Naval Air Station; and

WHEREAS, the Komitea Para Tiyan has been designated the caretaker of the property until the issuance of title back to the government of Guam; and

WHEREAS, Section 7(b) of Chapter III of Public Law No. 23-45 provides that the Komitea Para Tiyan may hire personnel to perform the functions that are necessary for the effective performance of the responsibilities and obligations of caretaker; and

WHEREAS, under Public Law No. 25-03, I Liheslaturan Guåhan, the Guam Legislature, failed to provide enough funds for the Komitea Para Tiyan office to effectively carry out its mission; and

WHEREAS, under Bill No. 296, now Public Law No. 25-71, in expressing a desire to close down the Komitea Para Tiyan office, by not appropriating for employees' salaries, I Liheslaturan Guåhan, the Guam Legislature, failed to provide funds for its operation; and

WHEREAS, such failure to fulfill its responsibilities will cause a breach of the agreement with the U. S. Navy causing the return of the Tiyan property 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:

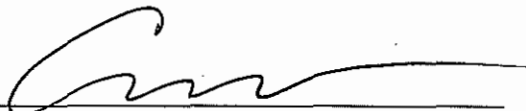
1. **Declaration of state of emergency.** For purposes of payment for government personnel and services, an emergency situation a state of emergency continues to exist as of the date of this Executive Order as to the continue lease agreement with the U. S. Navy for the former Naval Air Station; and
2. **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 civil defense, public safety or health emergencies, 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 by the Komitea Para Tiyan to provide personnel, goods and services to respond appropriately to the requirements established under Public Law No. 23-45; and

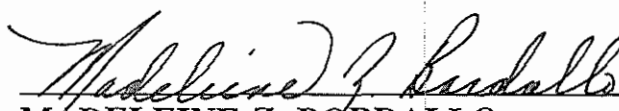
3. **Further authorization for emergency procurement unnecessary.** The authorization for the certification, approval, and expenditure of necessary funds pursuant to §5215 of Title 5, Guam Code Annotated, and §22402 of Title 5, Guam Code Annotated, shall be this Executive Order, subject only to the exhaustion 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, goods and services provided by Komitea Para Tiyan responding to this emergency in the provision of goods and services to the people of Guam, and continuing for Thirty (30) days after the date of this Executive Order as provided in §5215 of Title 5, Guam Code Annotated; and

SIGNED AND PROMULGATED at Hagåtña, Guam this 31st day of August, 1999.



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

COUNTERSIGNED:



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

