

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

Via Hand Delivery
and E-mail to: speaker@guamlegislature.org

June 17, 2023

HONORABLE THERESE M. TERLAJE

Speaker

I Mina'trentai Siette Na Liheslaturan Guåhan

37th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

RE: EXECUTIVE ORDER NO. 2023-06

Hafa Adai Madame Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

EXECUTIVE ORDER NO. 2023-06: RELATIVE TO DECLARING A SECOND STATE OF EMERGENCY DUE TO THE PUBLIC WATER SUPPLY SHORTAGE CAUSED BY TYPHOON MAWAR

Thank you.

Senseremente,

Handwritten signature of Jeffrey A. Moots in blue ink.

JEFFREY A. MOOTS

Legal Counsel

Enclosure: Executive Order No. 2023-06

cc via email: *Maga'hågan Guåhan*
Sigundo Maga'låhen Guåhan
Hon. Robert J. Torres, Jr., Chief Justice of Guam
Compiler of Law
Central Files
Cabinet Members



ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGATNA, GUAM 96932
U.S.A.

EXECUTIVE ORDER NO. 2023-06

RELATIVE TO DECLARING A SECOND STATE OF EMERGENCY DUE TO THE PUBLIC WATER SUPPLY SHORTAGE CAUSED BY TYPHOON MAWAR

WHEREAS, on June 3, 2023, I issued Executive Order No. 2023-04, declaring a state of emergency due to the public water supply shortage caused by Typhoon Mawar; and

WHEREAS, as noted in E.O. 2023-04, Typhoon Mawar caused substantial damage to our island's critical infrastructure, including power and water. As of the time of this writing, water restoration efforts continue around the island, and the restoration of water in higher lying areas and areas relying on "gravity feeds" continues to hinge on increasing and stabilizing reservoir levels; and

WHEREAS, the Guam Waterworks Authority ("GWA") has requested that residents with water service continue to conserve and limit the use of their water to cleaning, bathing and cooking in order to allow replenishment and stabilization of our reservoirs; and

WHEREAS, 9 GCA Section 55.60 provides that upon a declaration by the Governor of a state of emergency as the result of a disaster that threatens the public water supply, it shall be a petty misdemeanor for any person to use water supplied by GWA for any unauthorized purpose not pertaining to public, safety and welfare; and

WHEREAS, Section 55.60 provides further that a state of emergency under the section shall be for a period of no more than fifteen (15) days, but that the Governor may proclaim successive states of emergency if she deems it to be in the public interest; and

WHEREAS, I have communicated with GWA regarding the current status of the restoration progress to ascertain whether an additional emergency declaration is necessary to ensure continued delivery of water to our community. GWA has advised me that while it is making incremental gains in tank levels, inconsistent production in some areas has slowed the recovery of levels. GWA further states that while it anticipates improvement in the number of customers with water service, water pressure remains insufficient. Accordingly, GWA intends to maintain its Water Conservation Advisory for an additional one (1) week period, at which time it will reassess; and

WHEREAS, in light of the current report from GWA, I find that it is in the public interest that I declare a second state of emergency to continue the activation of Section 55.60, eliminate or reduce unauthorized use of water, allow our reservoirs to recover, and support the delivery of water to the members of our community who urgently need it.


NOW THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam as amended, do hereby order:



ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGATNA, GUAM 96932
U.S.A.

1. **DECLARATION OF STATE OF EMERGENCY.** A second state of emergency is hereby declared for the island of Guam due to the public water supply shortage as a result of Typhoon Mawar.
 - a. Pursuant to 9 G.C.A. Section 55.60, individuals should only use water supplied by GWA for authorized uses pertaining to public health, safety and welfare. Specific unauthorized uses provided in Section 55.60 include washing motor vehicles, windows, streets, sidewalks and buildings.
 - b. This order shall be effective at midnight on June 19, 2023 and shall continue in effect for a period of fifteen (15) days. It shall expire on July 4, 2023, unless otherwise amended or rescinded by further executive order.
2. **SEVERABILITY.** If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.
3. **PRIOR ORDERS REMAIN IN EFFECT.** All prior Executive Orders remain in full force and effect except to the extent they conflict with this Order.

SIGNED AND PROMULGATED at *Hagåtña*, Guam, this **17th** day of **June, 2023**.


LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Attested by:


JOSHUA F. TENORIO
Sigundo Maga'låhen Guåhan
Lt. Governor of Guam

