



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

EXECUTIVE ORDER NO. 2001-33

**RELATIVE TO PREVENTING UNAUTHORIZED
IMPORTATION OF TOBACCO PRODUCTS INTO
GUAM.**

WHEREAS, Guam is a signatory to the Master Settlement Agreement between various states and territories and manufacturers of tobacco products; and

WHEREAS, the Master Settlement Agreement requires each signatory tobacco manufacturer to make payments calculated on the number of cigarettes and other tobacco products sold in each jurisdiction; and

WHEREAS, the Master Settlement Agreement requires signatory jurisdictions to enact laws and procedures which eliminate any competitive advantage which tobacco product manufacturers which are non-signatories of the Master Settlement Agreement may enjoy by avoiding these payments; and

WHEREAS, the Guam Legislature has enacted Public Law No. 26-03 which is Guam's version of the Model Statute set forth in the Master Settlement Agreement which requires each non-participating tobacco products manufacturer to establish an escrow account to be funded using the same formula as is applied to signatories of the Master Settlement Agreement; and

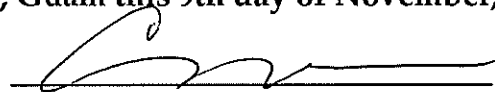
WHEREAS, it has come to the attention of the Governor that there are tobacco manufacturers supplying cigarettes and other tobacco products to Guam who have neither signed the Master Settlement Agreement nor complied with the provisions of Public Law No. 26-03; and

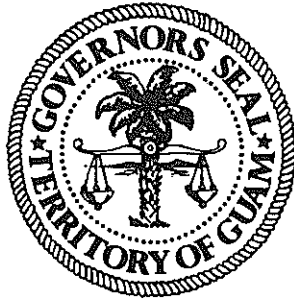
WHEREAS, many of those not in compliance are located in the United States or foreign jurisdictions and proceedings in the courts of Guam to enforce their obligations may be ineffective; the difficulty in enforcing the provisions of Public Law No. 26-03 threatens to nullify the intent of the Guam Legislature;

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

- 1. Manufacturers or importers to establish compliance.** No tobacco products as defined in the Master Settlement Agreement signed by the government of Guam shall be admitted to Guam unless the importer establishes that the manufacturer of the tobacco products or the importer itself has complied with the Master Settlement Agreement or with the provisions of Public Law No. 26-03.

SIGNED AND PROMULGATED at Hagåtña, Guam this 9th day of November, 2001.


CARL T. C. GUTIERREZ
I Maga'Lahen Guáhan
Governor of Guam



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AGAÑA, GUAM 96910
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EXECUTIVE ORDER NO. 2001-34

RELATIVE TO ENLARGING THE MEMBERSHIP OF THE CIVIL DEFENSE ADVISORY COUNCIL TO PROVIDE FOR MORE COMPREHENSIVE DISASTER AND EMERGENCY PREPARATION AND RESPONSE IN THE WAKE OF THE ATTACKS OF SEPTEMBER 11, 2001.

WHEREAS, a Civil Defense Advisory Council was first established in Public Law No. 1-88 in 1952, and was first codified as §8504 of the Government Code; and

WHEREAS, due to many changes in disaster preparedness since 1952, Executive Order No. 97-18 was promulgated in 1997 to create a Civil Defense Advisory Committee for comprehensive policy, guidance, and direction for the implementation of emergency management and disaster preparedness according to the requirements of the Federal Emergency Management Agency; and

WHEREAS, §65104 of Title 10, Guam Code Annotated, is the recodification for the original statute establishing a Civil Defense Advisory Council, and this section was amended in Public Law No. 24-298; and

WHEREAS, disaster preparedness and response has changed again as a result of the devastating terrorist attacks on the World Trade Center in New York City and the Pentagon in Washington, D. C. on September 11, 2001, which resulted in the loss of human lives numbering into the thousands, and property damage and losses estimated in excess of \$50 Billion; and

WHEREAS, the President of the United States has declared a state of war against terrorism, which is an ongoing state and involves many countries around the world and requires new preparedness and responsiveness on the part of Guam; and

WHEREAS, in order to ensure that a statutorily consistent framework is in place for the formulation of policy that addresses the preparation for, and response to, the occurrence of disasters or emergencies resulting from enemy attack, sabotage or other hostile actions, as well as from the vicissitudes of nature, and generally to provide for the common defense and to protect the public peace, health and safety and to preserve the lives and property of the people of Guam;


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

- 1. Membership of Civil Defense Advisory Council.** The Civil Defense Advisory Council shall consist of the following members; this listing is also inclusive of members listed in P.L. 24-298:



- a) Governor of Guam, who shall be the Chairman of the Council (P.L. 24-298).
 - b) The Adjutant General of Guam, who shall be the Vice-Chairman of the Council (P.L. 24-298).
 - c) Member of the Guam National Guard (P.L. 24-298).
 - d) Chief of the Guam Police Department, or designee (P.L. 24-298).
 - e) Director of the Department of Public Health and Social Services, or designee (P.L. 24-298).
 - f) President of the Mayors' Council of Guam, or designee (P.L. 24-298).
 - g) Director of the Department of Education, or designee (P.L. 24-298).
 - h) Director of the Department of Agriculture, or designee (P.L. 24-298).
 - i) In addition, Three (3) liaison officers shall represent the Armed Forces (Two: P.L. 24-298).
 - j) Eight (8) public minded citizens from private business, welfare organizations, or civil associations on Guam (P.L. 24-298).
 - k) General Manager of the Guam Power Authority, or designee.
 - l) General Manager of the Guam Telephone Authority, or designee.
 - m) General Manager of the Guam Waterworks Authority, or designee.
 - n) General Manager of the Port Authority of Guam, or designee.
 - o) Director of the Customs and Quarantine Agency, or designee.
 - p) Chief of the Guam Fire Department, or designee.
 - q) Administrator of the Guam Memorial Hospital Authority, or designee.
 - r) General Manager of the A. B. Won Pat Guam International Airport Authority, or designee.
 - s) Administrator of the Guam Environmental Protection Agency, or designee.
2. **Duties of the Civil Defense Advisory Council.** The Council as constituted by this Executive Order shall carry out all of the duties of the Council established by §65104 of Title 10 of the Guam Code Annotated. The Council shall advise the Governor and the Adjutant General, who will in turn advise the Administrator of the Office of Civil Defense on matters pertaining to civil defense.
3. **Rescission of prior Executive Order.** Except for the previous rescission of Executive Order No. 94-04 in Section 4 of Executive Order No. 97-18, Executive Order No. 97-18, which previously established the Civil Defense Advisory Council, is rescinded.

SIGNED AND PROMULGATED at Hagåtña, Guam this 20th day of November, 2001.



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