



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

EXECUTIVE ORDER NO. 2005-29

RELATIVE TO DECLARING A STATE OF EMERGENCY IN ORDER TO ASSIST THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE AND THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES TO COMPLY WITH THE MANDATES OF THE PERMANENT INJUNCTION ISSUED IN THE *J.C. ET. AL V. FELIX CAMACHO, GOVERNOR OF GUAM ET. AL.* AND PREVENT A THREAT TO PUBLIC HEALTH AND SAFETY

WHEREAS, *I Maga' Låhen Guåhan*, Governor of Guam, pursuant to the Organic Act of Guam, is charged with ensuring adequate public health services are provided to the people of Guam; and

WHEREAS, the government of Guam is committed to providing individuals seeking short-term acute psychiatric care, individuals with chronic mental illness who may require long-term care, individuals with developmental disabilities, individuals with mental illness and individuals committed to the Department of Mental Health and Substance Abuse ("DMHSA") through adjudication as individuals not guilty by reason of mental illness, with a safe environment that meets the needs of the individual and ensures the greatest amount of freedom and opportunity with the least amount of risk; and

WHEREAS, the Administration is committed to providing the resources available and necessary to ensure that the Department of Mental Health and Substance Abuse ("DMHSA") and Department of Integrated Services for Individuals with Disabilities ("DISID") facilities and community-based facilities will be made safe, hazard free, clean, adequate and compliant with all the mandates imposed by the Permanent Injunction in CV01-00041 and prevent a threat to public health and safety; and

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 in order to assist DMHSA and DISID to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix Camacho, Governor of Guam, et. al.* and prevent a threat to public health and safety.

2. Agency Coordination. DMHSA/DISID shall coordinate with all government departments, agencies, instrumentalities and other public entities in order to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix Camacho, Governor of Guam, et. al.* All affected agencies and other public entities shall cooperate fully with DMHSA/DISID.



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3. **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 Bureau of Budget and Management Research is authorized to transfer to DMHSA and DISID an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) from outstanding appropriations within the General Fund for immediate use by DMHSA and DISID for costs to comply with the mandates of the Permanent Injunction issued in the *J.C. et. al v. Felix Camacho, Governor of Guam, et. al.*

4. **Documentation of expenses.** DMHSA and DISID are hereby instructed to keep appropriate documentation on all emergency expenses for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam

5. **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any services relative to comply with the mandates of the Permanent Injunction issued in *the J.C. et. al v. Felix Camacho, Governor of Guam, et. al.* 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 7th day of August, 2005.

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