

TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.
EXECUTIVE ORDER NO. 96-30

DECLARING A STATE OF EMERGENCY FOR EMERGENCY PROCUREMENT, FOR EMERGENCY EXPENSES, AND FOR EXEMPTION FROM PROHIBITION ON OVERTIME COMPENSATION FOR SUPERVISORY PERSONNEL RELATIVE TO THE PROVISION OF GOODS AND SERVICES BY THE DEPARTMENT OF AGRICULTURE TO THE PUBLIC DURING AND AFTER THE PASSAGE OF TYPHOON DALE, NOVEMBER 7-8, 1996.

WHEREAS, Typhoon Dale, a storm about 1,200 miles in diameter and containing sustained winds of approximately 105 mph with gusts to 125 mph, passed 125 miles to the south of Guam at 4:00 a.m. November 8, 1996 after remaining quasi-stationary off the coast of Guam during November 7, 1996; and

WHEREAS, Typhoon Dale caused damage of approximately Ten Million Dollars (\$10,000,000) throughout the island, but damage was most especially concentrated in the communities of Talofofu, Inarajan, Merizo, and Umatac, as well as all agricultural and farming areas from Yigo to Merizo; and

WHEREAS, preliminary assessment shows that approximately 700 families suffered damage to homes, belongings, or crops due to the typhoon; and

WHEREAS, the dedicated and hard-working men and women of the Department of Agriculture worked diligently assessing the damage to the agricultural activities of the island in the aftermath of Typhoon Dale and offering assistance to the farmers of Guam, and more assistance is necessary in order to get the farmers of Guam back on their feet after the extensive destruction of their crops;

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 hereby order the following:

1) **Declaration of state of emergency.** Whereas the Governor established a state of emergency on Guam by declaring Typhoon Condition I on November 7, 1996, and although Typhoon Condition IV is reestablished, a state of emergency continues relative to the damage from this typhoon.

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 Department of Agriculture an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) from outstanding appropriations within the General Fund for immediate procurement by the Department of Agriculture to provide goods and services relative to those affected by damage from Typhoon Dale, for Compensation to Farmers for Crop Damages as provided for §§12450 through 12452 of the Government Code and Sections 1, 2, and 3 of Public Law 20-84 and the rules and



regulations contained in Public Law 22-64, and for placement into the Farmers' Small Loan Revolving Fund.

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.

4) **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any goods and services provided by the Department of Agriculture in the provision of goods and services of the Department to the people of Guam during and after the passage of Typhoon Dale on November 7-9, 1996, and continuing for Thirty (30) days as provided in §5215 of Title 5, Guam Code Annotated.


5) **Exemption from overtime prohibition of Executive Order No. 95-11.** Notwithstanding the provisions of Executive Order No. 95-11, all employees of the Department of Agriculture who work overtime hours from November 7, 1996 through November 15, 1996 are authorized to receive overtime pay, whether or not their positions are supervisory in nature, or are listed or not listed in the attachment to Executive Order No. 95-11. Overtime hours shall be as authorized by the Director of the Department of Agriculture.

SIGNED AND PROMULGATED at Agana, Guam this 13th day of November, 1996.



CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:



MADELEINE Z. BORDALLO
Lieutenant Governor of Guam