



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

EXECUTIVE ORDER NO. 98-1

**RELATIVE TO CLARIFYING "STATE OF EMERGENCY"
"EMERGENCY FOR CLEANUP, RESTORATIVE, OR
MITIGATION SERVICES", AND RATES OF PAYMENT
IN THE WAKE OF SUPERTYPHOON PAKA; AND
RESCINDING EXECUTIVE ORDER NO. 97-53.**

WHEREAS, Supertyphoon Paka, a storm containing sustained winds of approximately 160 mph with gusts to 195 mph, with some gusts clocked at Andersen Air Force Base up to 220 mph, passed directly over Guam on the evening of December 16, 1997, moving at only 8 mph and devastating our island; and

WHEREAS, both the private and public sectors of the island sustained major destruction with the total damage in monetary figures expected to mount well over \$300,000,000; and

WHEREAS, as is customary, a state of emergency existed during the period of time while Guam was in Typhoon Condition I and until Guam was declared in Typhoon Condition IV. Since the passing of Supertyphoon Paka, key government personnel have worked tirelessly and with dedication around the clock to ensure that the essential services provided by the government such as, but not limited to, electrical power, water, police, fire, public health, and hospital, continue to be provided to the public, and are cleaned up and restored as quickly as possible; and

WHEREAS, Guam was downgraded to Typhoon Condition IV on December 17, 1997, and need for emergency procurement was declared by the Governor to exist with respect to the damage caused by Supertyphoon Paka, and a number of executive orders were issued to cover emergency procurement and expenditures of those agencies providing emergency and restorative services; and

WHEREAS, the Legislature passed Bill No. 467 which became Public Law No. 24-117 on December 18, 1997 to appropriate funds for Guam's emergency recovery needs; and

WHEREAS, the government needs clarification with respect to payment of personnel during this period of the island's complete recovery from Supertyphoon Paka;

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, Governor of Guam, by virtue of the authority vested in me by the Organic Act do order:

1. **State of Emergency; emergency procurement for cleanup, restorative, or mitigation services; and rates of pay. (a) Acute state of emergency.** A state of emergency for purposes of payment of overtime payment during regular working hours and all hours worked in excess of the normal working hours existed upon declaration of Typhoon



Condition I on December 16, 1997 and ended with the declaration of Typhoon Condition IV on December 17, 1997.

(b) Emergency cleanup, restorative, or mitigation services. Emergency procurement for purposes of cleanup, restorative, or mitigation services concerning typhoon damages exists pursuant to Executive Order Nos. 97-37 through 97-48, Executive Order Nos. 97-51 and 97-52, and Public Law No. 24-117. During the time of cleanup, restorative, or mitigation services after the passage of Supertyphoon Paka, until further notice by the Governor, necessity for emergency procurement exists and all government personnel, both classified and unclassified, except for Directors and Deputy Directors, by whatever title designated, shall be paid at their regular rates of pay during normal working hours, and time and one-half during all hours worked in excess of the normal working hours with respect to the provision of cleanup, restorative, or mitigation services. Those working on holidays shall be compensated at double the normal rate.

(c) Guam National Guard. Provision of cleanup, restorative, or mitigation services includes services provided by the Guam National Guard.

(d) Cleanup and restorative, and mitigation services. Only those persons performing cleanup, restorative, or mitigation services are entitled to overtime compensation for hours worked in excess of the normal working hours related to the passing of Supertyphoon Paka, as determined by the heads of the following:

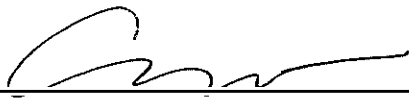
- a) Guam Waterworks Authority - Executive Order No. 97-37;
- b) Guam Telephone Authority - Executive Order No. 97-38;
- c) Department of Agriculture - Executive Order No. 97-39;
- d) Department of Public Works - Executive Order No. 97-40;
- e) Department of Parks and Recreation - Executive Order No. 97-41;
- f) Office of Civil Defense - Executive Order No. 97-42;
- g) Guam Police Department - Executive Order No. 97-43;
- h) Guam National Guard - Executive Order No. 97-44;
- i) Department of Public Health and Social Services - Executive Order No. 97-45;
- j) Mayors' Council and Mayor of each village - Executive Order No. 97-46;
- k) Guam Fire Department - Executive Order No. 97-47;
- l) Guam Power Authority - Executive Order No. 97-48;
- m) Disaster Housing Office - Executive Order No. 97-51;

Executive Order No. 98-1
State of Emergency, emergency
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Supertyphoon Paka
Page -3-



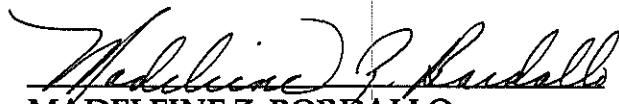
- n) Government of Guam Recovery Coordination Office (Paka Office) - Executive Order No. 97-52;
 - o) Department of Administration;
 - p) heads of agencies who have personnel detailed to the above listed agencies and entities;
 - q) such personnel performing emergency or restorative functions not listed above as determined by the Governor.
2. **Rescission of Executive Order No. 97-53.** Executive Order No. 97-53 is rescinded.

SIGNED AND PROMULGATED at Agana, Guam this 7th day of January, 1998.



CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:



MADELEINE Z. BORDALLO
Lieutenant Governor of Guam