EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

September 13, 2018

34 GL-18-2311
Vice Speaker Therese M. Terlaje
LC-18-0002

SEP 13 2018
Time: 3:33 pm
Received by:

2018 SEP 13 PM 4:05

The Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Madame Vice-Speaker:

Pursuant to my authority under Section 1423h of the Organic Act of Guam, I am calling *I Liheslaturan Guåhan* into special session this afternoon, **Thursday, Setpember 13, 2018, at 5:00 p.m.**, for the sole purpose of considering the attached proposed bill entitled, *"An Act to Appropriate Funds for Emergency Expenditures Resulting from Typhoon Mangkhut."*

Thank you for your efforts towards ensure the swift recovery of our island community.

Senseramente,

EDDIE BAZA CALVO

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I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. _____-34

Introduced by:

_____
By request of *I Maga'Låhen Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON MANGKHUT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Typhoon Mangkhut struck Guam on Monday, September 10, 2018, with devastating winds and rain. It is the intent of *I Liheslaturan Guåhan* to immediately address this emergency situation that has caused widespread and severe disruption and property damage, and which threatens the lives, health, safety, and welfare of the people of Guam, by providing relief in the form of emergency funding to be utilized to secure services and procure materials as necessary to return stability and safety to the island.

Section 2. Typhoon Mangkhut Emergency Appropriation and Authorization. Notwithstanding any other provisions of law or this Act, *I*

Maga'låhen Guåhan is authorized to utilize any part or portion, not to *exceed* One Million Dollars ($1,000,000.00), of the General Fund of the Government of Guam, for expenses for civil defense, public safety or health emergencies resulting from Typhoon Mangkhut. The appropriation contained herein shall be used for typhoon-related non-regular expenditures incurred on or after September 8, 2018.

Notwithstanding the Guam Procurement Law, expedited procurement is authorized to purchase any necessary goods, materials, and services funded for in this Section 2; *provided* that at least three (3) informal price quotations are solicited and that procurement must be awarded to the firm with the best offer as determined by evaluating cost and delivery time.

Section 3. *I Maga'låhi* is authorized to transfer any cash available in all special funds of the Executive Branch to the General Fund to fund the appropriation authorized in Section 2 of this Act.

Section 4. Reversion. Any appropriation authorized under this Act that has not been encumbered or expended within sixty (60) days of enactment of this Act shall revert back to the General Fund.

Section 5. Reporting Requirement. *I Maga'låhen Guåhan* shall prepare a detailed report on all transfers, expenditures and reimbursements by all and any agency or department, and the Mayors' Council of Guam, directly related to Typhoon Mangkhut or the funds appropriated herein. All reports required herein

shall be submitted to the Speaker of *I Liheslaturan Guåhan* within five (5) days of transfer, expenditure or reimbursement. A closeout report of the expenditures of the funds appropriated herein shall be filed within sixty (60) days of the enactment of this Act.

Section 6. FEMA Reimbursement. Reimbursement of any funds expended under this Act from federal sources, including the Federal Emergency Management Authority ("FEMA"), and other sources, including insurance policies, shall be reimbursed to the source from which the funds originated, to the extent that Federal laws permit.

The Administrator of Guam Homeland Security and Civil Defense (GHS/OCD) shall maintain detailed accounting records pertaining to the expenditures under this Act.

Within thirty (30) days from the receipt of the initial reimbursement from FEMA, and thirty (30) days after each subsequent reimbursement form FEMA, the Administrator of GHS/OCD submit a detailed report of such expenditures and reimbursements authorized under this Act to the Speaker of *I Liheslaturan Guåhan.*

Section 7. Expenses Beyond Emergency Appropriation. Any additional funding necessary for the recovery of Typhoon Mangkhut shall require *I*

Maga'låhen Guåhan to submit a detailed assessment of projected expenses to the Speaker of *I Liheslaturan Guåhan* for appropriation by *I Liheslaturan Guåhan.*

Section 8. Contracts entered into pursuant to this Act shall not exceed a term of thirty (30) days.

Section 9. Severability. *If* any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.