

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
5-35 (LS)	Telo T. Taitague	AN ACT TO ADD A NEW ARTICLE 9 TO CHAPTER 77 OF DIVISION 2, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO DEVELOPING A NEW PUBLIC HOSPITAL FACILITY THROUGH THE ESTABLISHMENT OF "THE ESPETÁT-TA. LINA'LÁ-TA – OUR HOSPITAL. OUR LIFE - PLANNING TASK FORCE."	1/7/19 11:20 a.m.	1/18/19	Committee on General Government Operations, Appropriations, and Housing	8/2/19 2:00 p.m.	10/1/19 4:30 p.m.	Request: 1/22/19  1/31/19	10/30/19 As amended by the Committee on General Government Operations, Appropriations, and Housing; and further amended on the floor

**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN**  
**2019 (FIRST) Regular Session**

**Bill No. 5-35 (LS)**

As amended by the Committee on General  
Government Operations, Appropriations,  
and Housing; and further amended on the Floor.

Introduced by:

Telo T. Taitague

**AN ACT TO ADD A NEW ARTICLE 9 TO CHAPTER 77  
OF DIVISION 2, TITLE 12, GUAM CODE ANNOTATED,  
RELATIVE TO DEVELOPING A NEW PUBLIC  
HOSPITAL FACILITY THROUGH THE  
ESTABLISHMENT OF THE “ESPETÅT-TA. LINA’LÅ-TA.  
– OUR HOSPITAL. OUR LIFE. PLANNING TASK  
FORCE.”**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** A new Article 9 is hereby *added* to Chapter 77 of Division 2,  
Title 12, Guam Code Annotated, to read:

**“ARTICLE 9**

***ESPETÅT-TA. LINA’LÅ-TA. – OUR HOSPITAL. OUR LIFE.***

**PLANNING TASK FORCE ACT OF 2019**

§ 77901. Title.

§ 77902. Legislative Statement.

§ 77903. Creation and Membership.

§ 77904. Administrative Support for the Task Force.

§ 77905. Adoption of Rules.

§ 77906. Meetings.

§ 77907. General Powers and Responsibilities of the Task Force.

1 § 77908. Development of a New Public Hospital Facility; Master Plan  
2 Required.

3 § 77909. Reporting.

4 § 77901. Title.

5 This Act *shall* be known and may be cited as the “*Espetåt-ta. Lina’låt-*  
6 *ta. – Our Hospital. Our Life. Planning Task Force Act of 2019.*”

7 § 77902. Legislative Statement.

8 *I Liheslaturan Guåhan* recognizes the urgency of improving safety  
9 conditions and the quality of care provided to the people of Guam by the  
10 island’s only public hospital, the Guam Memorial Hospital Authority  
11 (GMHA). Although task force groups were established and community  
12 conversations have occurred during the past several years regarding the  
13 rehabilitation and modernization of GMHA facilities and services, a clear path  
14 forward that will guide the development of a new public hospital facility has  
15 yet to materialize.

16 It is, therefore, the position of *I Liheslaturan Guåhan* that a task force be  
17 established to coordinate efforts by the government of Guam to develop a new public  
18 hospital facility, including rehabilitation and/or replacement plans involving the  
19 current Guam Memorial Hospital Authority facility. *I Liheslatura* acknowledges the  
20 development of a new public hospital facility as a critical planning initiative of the  
21 government of Guam through the support of the Guam Economic Development  
22 Authority (GEDA). Included within the enabling statute of GEDA is 12 GCA §  
23 50103(a), which recognizes that “...*there exists an acute shortage of adequate,*  
24 *modern and efficient hospital facilities in Guam and that unless measures are*  
25 *adopted to alleviate such conditions, the need for such facilities will become*  
26 *increasingly more urgent and serious. It is hereby declared that the safety, health*  
27 *and welfare of the people of Guam requires the provision of adequate, modern and*

1 *efficient hospital facilities in the various parts of the Territory, and that it is the*  
2 *policy of the Territory and a purpose of this Division to provide the means necessary*  
3 *for the acquisition, construction and provision of hospital facilities to serve the*  
4 *general public and to make reasonably accessible to all the people of Guam modern*  
5 *and efficient hospital facilities.”*

6       **§ 77903.     Creation and Membership.**

7               The *Espetåt-ta. Lina'lå-ta.* – Our Hospital. Our Life. Planning Task  
8 Force is hereby created and *shall* consist of seven (7) members.

9               (a) Task Force members *shall* serve for a term of eighteen (18)  
10 months.

11              (b) The following seven (7) individuals *shall* serve as appointed  
12 members of the Task Force:

13                   (1) the Administrator of the Guam Economic Development  
14 Authority or his/her designee;

15                   (2) the Administrator of the Guam Memorial Hospital  
16 Authority or his/her designee;

17                   (3) the Speaker of *I Liheslaturan Guåhan* or his/her designee,  
18 who himself/herself *shall* be a member of *I Liheslaturan Guåhan*;

19                   (4) a member of *I Liheslaturan Guåhan* appointed by the  
20 Speaker of *I Liheslaturan Guåhan*;

21                   (5) a member of the general public with a background in  
22 business and/or finance or experience in developing a public or private  
23 hospital facility who *shall* be appointed by *I Maga'hågan Guåhan*;

24                   (6) a member of the general public who *shall* be appointed by  
25 *I Maga'hågan Guåhan*; and

26                   (7) a member of the general public who *shall* be appointed by  
27 the Speaker of *I Liheslaturan Guåhan*.

1 (c) Four (4) members of the Task Force *shall* constitute a quorum  
2 for the exercise of the authority conferred upon the Task Force, and a  
3 concurrence of at least four (4) members is necessary to render a choice or a  
4 decision by the Task Force.

5 (d) A Chairperson *shall* be elected from among the appointed  
6 members and *shall* serve in such capacity for a term of eighteen (18) months.

7 (e) The members of the Task Force *shall* serve without  
8 compensation.

9 **§ 77904. Administrative Support for the Task Force.**

10 (a) The Task Force *shall* be established within GEDA for  
11 administrative purposes. The Administrator of GEDA *shall* ensure that the  
12 administrative provisions contained in this Article are properly adhered to;  
13 and *shall* further ensure that GEDA provides all the necessary administrative  
14 and clerical support, and anything else deemed necessary for the efficient  
15 operation of the Task Force.

16 (b) The Chairperson of the Task Force, in cooperation with the  
17 GEDA Administrator, may request for budgetary support from *I Liheslaturan*  
18 *Guåhan*.

19 (c) Nothing in this Article shall require that GEDA funds be utilized  
20 to cover any costs that are the direct result of the Task Force carrying out its  
21 defined duties and responsibilities pursuant to this Article.

22 **§ 77905. Adoption of Rules.**

23 The Task Force may adopt rules as necessary for its own procedures.

24 **§ 77906. Meetings.**

25 The Task Force *shall* meet as often as it deems appropriate and  
26 necessary to accomplish its powers and duties.

1 (a) The first meeting of the Task Force *shall* be held no later than  
2 twenty (20) days after the enactment of this Article.

3 (b) All meetings of the Task Force *shall* be subject to the Open  
4 Government Act found in Chapter 8 of Title 5, Guam Code Annotated.

5 **§ 77907. General Powers and Responsibilities of the Task Force.**

6 The Task Force *shall*:

7 (a) coordinate and oversee any and all efforts by the government of  
8 Guam concerning the development of a new public hospital facility, including  
9 rehabilitation and/or replacement plans involving the current Guam Memorial  
10 Hospital Authority facility;

11 (b) identify the preferable location(s) for a new public hospital  
12 facility;

13 (c) identify possible funding sources for a new public hospital  
14 facility;

15 (d) work with all pertinent stakeholders necessary to establish an  
16 organized approach by the government of Guam in developing a new public  
17 hospital facility;

18 (e) obtain a feasibility study with regards to the building,  
19 maintenance, and economic impact of a new public hospital facility;

20 ~~(f) be authorized, at its discretion and subject to availability of~~  
21 ~~funds, to issue Requests for Proposals and Requests for Information via the~~  
22 ~~Government Procurement Law, as necessary to complete the plan;~~

23 ~~(g) meet all the reporting requirements as outlined in this Article;~~  
24 ~~and.~~

25 ~~(e) perform other duties, not specifically mentioned in this section~~  
26 ~~but are consistent with Guam law, as may be required to effectively and~~  
27 ~~efficiently plan for the development of a new public hospital.~~

1           **§ 77908.    Development of a New Public Hospital Facility; Master Plan**  
2 **Required.**

3           The Task Force *shall* develop a Master Plan summarizing the best path  
4 forward in developing a new public hospital facility through a purchase  
5 agreement, municipal lease program, public-private partnership, or other  
6 financing option determined to be most beneficial to the taxpayers of Guam.  
7 The Master Plan *shall* include, but not be limited to, a conceptual drawing and  
8 model(s), recommended funding sources, and maintenance plans.

9           **§ 77909.    Reporting.**

10          (a)    The Task Force *shall* file quarterly reports with *I Liheslaturan*  
11 *Guåhan* detailing the progress of the development of the plan.

12          (b)    The Task Force *shall* file a complete and detailed written report  
13 quarterly with *I Maga'hågan Guåhan* and the Speaker of *I Liheslaturan*  
14 *Guåhan*, in the form and within the time provided by the General  
15 Appropriations Act, accounting for all funds received and disbursed by the  
16 Task Force during the preceding fiscal year.

17          (c)    No later than eighteen (18) months after its first duly convened  
18 meeting, the Task Force *shall* submit to *I Maga'hågan Guåhan* and *I*  
19 *Liheslaturan Guåhan* the Master Plan as required in § 77908 of this Article.”

20          **Section 2.    Effective Date.** This Act *shall* be effective upon enactment.

21          **Section 3.    Severability.** If any provision of this Act or its application to any  
22 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*  
23 *not* affect other provisions or applications of this Act that can be given effect without  
24 the invalid provision or application, and to this end the provisions of this Act are  
25 severable.