

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
184-37 (COR) As amended by the Committee on Health, Land, Justice and Culture	Committee on Rules by request of <i>I Mago'hdagan Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO AUTHORIZE THE GUAM ANCESTRAL LANDS COMMISSION TO SELL OR LEASE LOTS 2453, 2453-1, 2454, 2455, 2457, AND 2457-1 IN THE MUNICIPALITY OF <i>BARRIGADA</i> TO THE GOVERNMENT OF GUAM AT FAIR MARKET VALUE FOR USE AS THE SITE OF A NEW MEDICAL COMPLEX.	10/11/23 11:27 a.m.	10/11/23	Committee on Health, Land, Justice, and Culture	Request: 10/11/23 10/23/23	11/1/23 9:00 a.m.	1/11/24 11:04 a.m. As amended by the Committee on Health, Land, Justice, and Culture	Addendum 1/18/24 Motion to append Bill No. 121-36 (COR) Vote Record to Committee Report 1/24/24
	SESSION DATE	TITLE	FAILED PASSAGE	NOTES					
	1/22/24	AN ACT TO AUTHORIZE THE GUAM ANCESTRAL LANDS COMMISSION TO SELL OR LEASE LOTS 2453, 2453-1, 2454, 2455, 2457, AND 2457-1 IN THE MUNICIPALITY OF <i>BARRIGADA</i> TO THE GOVERNMENT OF GUAM AT FAIR MARKET VALUE FOR USE AS THE SITE OF A NEW MEDICAL COMPLEX.	1/26/24						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 184-37 (COR)

As amended by the Committee on
Health, Land, Justice and Culture.

Introduced by:

Committee on Rules
by request of *I Maga'hågan*
Guåhan, the Governor of
Guam, in accordance with the
Organic Act of Guam

**AN ACT TO AUTHORIZE THE GUAM ANCESTRAL
LANDS COMMISSION TO SELL OR LEASE LOTS 2453,
2453-1, 2454, 2455, 2457, AND 2457-1 IN THE
MUNICIPALITY OF *BARRIGADA* TO THE
GOVERNMENT OF GUAM AT FAIR MARKET VALUE
FOR USE AS THE SITE OF A NEW MEDICAL
COMPLEX.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Memorial Hospital, our island's only public hospital, is operating past
4 its estimated useful life, and the deteriorating hospital facility is no longer suitable
5 for the long-term use of our community. The current facility also contains inadequate
6 space to meet the medical needs of our island's population and the cost to repair the
7 existing facility would exceed the cost to build a new hospital at another location.
8 Additionally, Guam's public health system requires modernization to address our
9 community's complex healthcare needs. Construction of a new medical complex,
10 which will include a hospital and facilities for healthcare agencies and veterans care,
11 will ensure that our people receive the services they need, on island, for decades to

1 come. Construction of a new medical complex will further ensure that healthcare
2 agencies have proper facilities that comply with accreditation standards, guidelines
3 promulgated by the Centers for Medicare and Medicaid Services, and applicable
4 codes. It will also enable our island to serve as the regional healthcare hub of
5 Micronesia, and create opportunities for medical training and tourism with other
6 Pacific islands, while increasing medical professional services and capacity within
7 the entire region.

8 *I Liheslaturan Guåhan* further finds that proper planning and best management
9 practices require a land use plan that contemplates the co-location of medical
10 facilities and services, as well as the potential for expansion of services and facilities
11 as the need arises. To integrate emerging medical advancements and technology
12 on an ongoing basis, and strengthen Guam's public health system as a function of
13 our island's disaster preparedness, the government of Guam must engage in complex,
14 coordinated physical and technological planning.

15 The Governor of Guam and representatives from the Department of Land
16 Management (DLM) have engaged in substantial efforts to identify land that may
17 serve as an appropriate site for the new medical complex, including land in both the
18 federal government and the government of Guam's inventory. Criteria was
19 established to determine whether land was suitable for this purpose, including the
20 size and location of the property, the proximity of the property to utilities,
21 development constraints, population density, traffic conditions, and proximity to
22 arterial roads. The Governor and DLM identified the following crown lands as the
23 best site for the new medical complex from land currently available within the
24 government of Guam inventory: Lot 2453, containing an area of approximately 26.7
25 acres, covered under Certificate of Title No. 5683 and Instrument No. 23719; Lot
26 2453-1, containing an area of approximately 5 acres, covered under Certificate of
27 Title No. 5683 and Instrument No. 23719; Lot 2454, containing an area of

1 approximately 11.2 acres, covered under Certificate of Title No. 5683 and
2 Instrument No. 23719; Lot 2455, containing an area of 8.6 acres, covered under
3 Certificate of Title No. 5683 and Instrument No. 23719; Lot 2457, containing an
4 area of approximately 3.7 acres, covered under Certificate of Title No. 5683 and
5 Instrument No. 23719; and Lot 2457-1, containing an area of approximately 5.8
6 acres, covered under Certificate of Title No. 5683 and Instrument No. 23719, all in
7 the municipality of *Barrigada*. The Guam Ancestral Lands Commission (GALC)
8 holds jurisdiction to the identified lands.

9 During a Special Meeting on July 26, 2023, the GALC considered and
10 approved Resolution No. 2023-03, approving and designating the identified lots as
11 the site for the new medical complex, and authorizing the survey and appraisal of
12 the identified lots to facilitate the ultimate consideration of the potential sale or lease
13 of the properties for this purpose. However, certain federal funds that are available
14 for the construction of certain aspects of the new medical complex may lapse if the
15 intended site is not promptly identified.

16 Accordingly, it is the intent of *I Liheslaturan Guåhan* that negotiations for the
17 sale or lease of the identified lots be commenced so that the ultimate approval of
18 such sale or lease may occur without additional delay following completion of the
19 survey and appraisal. *I Liheslatura* finds that it has been five (5) months since the
20 appraisal was authorized but no appraisal report has been submitted to *I Liheslatura*.

21 *I Liheslaturan Guåhan* also intends, therefore, to authorize the GALC to
22 commence negotiations with the Governor for the sale or lease of Lots 2453, 2453-
23 1, 2454, 2455, 2457, and 2457-1, municipality of *Barrigada*, to the Guam Economic
24 Development Authority (GEDA) for use as the site for the new medical complex.
25 Additionally, due to the exigency with which certain aspects of the project must be
26 commenced, including to comply with time requirements for the funding, *I*
27 *Liheslaturan Guåhan* further authorizes the GALC to subsequently approve either

1 the sale or lease of the identified lots for the purposes identified herein, subject to
2 the requirements provided herein.

3 **Section 2. Authorization to Sell or Lease Identified Lots.** The GALC is
4 hereby authorized to commence negotiations with the Governor of Guam for the sale
5 or lease of Lots 2453, 2453-1, 2454, 2455, 2457, and 2457-1, municipality of
6 *Barrigada*, for use as the site for the new medical complex. The GALC is further
7 authorized to approve the sale or lease of such lots following the completion of a
8 survey and appraisal of the lots, with legislative approval of the final terms of the
9 sale, and legislative approval of a lease for a term exceeding fifty (50) years. Sale or
10 lease of the identified lots must be for no less than the fair market value of the
11 property as determined by the appraisal. Property acquired or leased pursuant to this
12 Section shall be utilized as the site of the new medical complex and for ancillary and
13 accessory purposes. GEDA shall have cognizance of the property.

14 **Section 3. Exemption from 2 GCA, § 2107.** The sale or lease of the
15 identified lots as provided herein shall be exempt from the requirements of § 2107
16 of Title 2, Guam Code Annotated.

17 **Section 4. Severability.** If any provision of this Act or its application to any
18 person or circumstance is found to be invalid or inorganic, such invalidity shall not
19 affect other provisions or applications of this Act that can be given effect without
20 the invalid provision or application, and to this end the provisions of this Act are
21 severable.