

*I Mina'trentai Siette Na Lihelaturan 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)	Committee on Rules by request of <i>I Mago'hågon 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, MUNICIPALITY OF BARRIGADA 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.						

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

**Bill No. 184-37 (COR)**

Introduced by:

Committee on Rules *DUB*  
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, 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*

3 *Guåhan* finds that the Guam Memorial Hospital, our island's only public hospital,

4 is operating past its estimated useful life, and the deteriorating hospital facility is no

5 longer suitable for the long-term use of our community. The current facility also

6 contains inadequate space to meet the medical needs of our island's population and

7 the cost to repair the existing facility would exceed the cost to build a new hospital

8 at another location. Additionally, Guam's public health system requires

9 modernization to address our community's complex healthcare needs. Construction

10 of a new medical complex, which will include a hospital and facilities for healthcare

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

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

16 The Governor of Guam and representatives from the Department of Land  
17 Management (DLM) have engaged in substantial efforts to identify land that may  
18 serve as an appropriate site for the new medical complex, including land in both the  
19 federal government and government of Guam's inventory. Criteria was established  
20 to determine whether land was suitable for this purpose, including the size and

1 location of the property, the proximity of the property to utilities, development  
2 constraints, population density, traffic conditions, and proximity to arterial roads.  
3 The Governor and DLM identified the following crown lands as the best site for the  
4 new medical complex from land currently available within the government of Guam  
5 inventory: Lot 2453 containing an area of approximately 26.7 acres covered under  
6 Certificate of Title Number 5683 and Instrument No. 23719, Lot 2453-1 containing  
7 an area of approximately 5 acres covered under Certificate of Title 5683 and  
8 Instrument No. 23719, Lot 2454 containing an area of approximately 11.2 acres  
9 covered under Certificate of Title 5683 and Instrument No. 23719, Lot 2455  
10 containing an area of 8.6 acres covered under Certificate of Title 5683 and  
11 Instrument No. 23719, Lot 2457 containing an area of approximately 3.7 acres  
12 covered under Certificate of Title 5683 and Instrument No, 23719, and Lot 2457-1  
13 containing an area of approximately 5.8 acres covered under Certificate of Title 5683  
14 and Instrument No, 23719, all in the Municipality of Barrigada. The Guam  
15 Ancestral Lands Commission (GALC) holds jurisdiction to the identified lands.

16 During a Special Meeting on July 26, 2023, the GALC considered and  
17 approved Resolution 2023-03, approving and designating the identified lots as the  
18 site for the new medical complex, and authorizing the survey and appraisal of the  
19 identified lots to facilitate ultimate consideration of the potential sale or lease of the  
20 property for this purpose. However, certain federal funds that are available for the

1 construction of certain aspects of the new medical complex may lapse if the intended  
2 site is not promptly identified. Accordingly, it is the intent of *I Liheslaturan Guåhan*  
3 that negotiations for the sale or lease of the identified lots be commenced, so that the  
4 ultimate approval of such sale or lease may occur without additional delay following  
5 completion of the survey and appraisal.

6 *I Liheslaturan Guåhan* intends therefore to authorize the GALC to commence  
7 negotiations with the Governor for the sale or lease of Lots 2453, 2453-1, 2454,  
8 2455, 2457, and 2457-1, Municipality of BARRIGADA to the Guam Economic  
9 Development Authority (GEDA) for use as the site for the new medical complex.  
10 Additionally, due to the exigency with which certain aspects of the project must be  
11 commenced, including to comply with time requirements for the funding, *I*  
12 *Liheslaturan Guåhan* further authorizes the GALC to subsequently approve either  
13 the sale or lease of the identified lots for the purposes identified herein without  
14 further legislative approval, subject to the requirements provided herein.

15 **SECTION 2. AUTHORIZATION TO SELL OR LEASE IDENTIFIED LOTS.**

16 The GALC is hereby authorized to commence negotiations with the Governor of  
17 Guam for the sale or lease of Lots 2453, 2453-1, 2454, 2455, 2457, and 2457-1,  
18 Municipality of BARRIGADA for use as the site for the new medical complex. The  
19 GALC is further authorized to approve the sale or lease of such lots following the  
20 completion of a survey and appraisal of the lots, without further legislative approval.

1 Sale of the identified lots must be for the fair market value of the property as  
2 determined by the appraisal. Property acquired or leased pursuant to this Section  
3 shall be utilized as the site of the new medical complex and for ancillary and  
4 accessory purposes. GEDA shall have cognizance of the property.

5 **SECTION 3. EXEMPTION FROM 2 G.C.A. § 2107.** The sale or lease of the  
6 identified lots as provided herein shall be exempt from the requirements of Section  
7 2107 of Title 2, Guam Code Annotated.

8 **SECTION 4. SEVERABILITY.** If any provision of this Act or its application to  
9 any person or circumstance is found to be invalid or inorganic, such invalidity shall  
10 not affect other provisions or applications of this Act that can be given effect without  
11 the invalid provision or application, and to this end the provisions of this Act are  
12 severable.