

# I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

## 2024 (SECOND) Regular Session

### VOTING RECORD

<b>Bill No. 184-37 (COR)</b> As amended by the Committee on Health, Land, Justice, and Culture.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building January 26, 2024					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett		✓				
Senator Frank Blas, Jr.		✓				
Senator Joanne Brown		✓				
Senator Christopher M. Dueñas		✓				
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan		✓				
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez		✓				
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T.D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague		✓				
Speaker Therese M. Terlaje		✓				

**TOTAL**

**7**

**8**

**0**

**0**

**Aye**

**Nay**

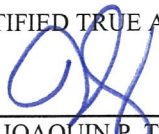
**Not  
Voting/  
Abstained**

**Out  
During  
Roll Call**

**Absent**

**Excused**

CERTIFIED TRUE AND CORRECT:

  
\_\_\_\_\_  
JOAQUIN P. TAITAGUE  
Clerk of the Legislature

I = Pass

***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.

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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,

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

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

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

1 2453-1, containing an area of approximately 5 acres, covered under Certificate of  
2 Title No. 5683 and Instrument No. 23719; Lot 2454, containing an area of  
3 approximately 11.2 acres, covered under Certificate of Title No. 5683 and  
4 Instrument No. 23719; Lot 2455, containing an area of 8.6 acres, covered under  
5 Certificate of Title No. 5683 and Instrument No. 23719; Lot 2457, containing an  
6 area of approximately 3.7 acres, covered under Certificate of Title No. 5683 and  
7 Instrument No. 23719; and Lot 2457-1, containing an area of approximately 5.8  
8 acres, covered under Certificate of Title No. 5683 and Instrument No. 23719, all in  
9 the municipality of *Barrigada*. The Guam Ancestral Lands Commission (GALC)  
10 holds jurisdiction to the identified lands.

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

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

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

1 commenced, including to comply with time requirements for the funding, *I*  
2 *Liheslaturan Guåhan* further authorizes the GALC to subsequently approve either  
3 the sale or lease of the identified lots for the purposes identified herein, subject to  
4 the requirements provided herein.

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

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

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