

I Mina'trentai Ocho Na Liheslaturan Guåhan
SPECIAL SESSION BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
1 (3-S) As amended in the Committee of the Whole.	Committee on Rules by request of <i>I Maga'ålgan Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO APPROPRIATE FORTY MILLION DOLLARS (\$40,000,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF ADMINISTRATION TO FUND GUAM MEMORIAL HOSPITAL AUTHORITY OPERATIONAL COSTS AND CAPITAL IMPROVEMENTS.	9/10/25 3:03 p.m.						
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	9/10/25	AN ACT TO APPROPRIATE FORTY MILLION DOLLARS (\$40,000,000) FROM THE GENERAL FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY (GMHA) TO FUND THE GUAM MEMORIAL HOSPITAL AUTHORITY'S OPERATIONAL COSTS AND CAPITAL IMPROVEMENTS.	9/11/25	9/12/25	9/24/25	38-59	9/17/25	Received: 9/17/25 Mess and Comm. Doc. No. 38GL-25-1171	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speakerblas@guamlegislature.gov

September 17, 2025

THE HON. FRANK BLAS, JR., Speaker
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

38GL-25-1171
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

SEP 17 2025

Time: 3:28 pm
Received: [Signature]

Re: BILL No. 1 (3-S), "AN ACT TO APPROPRIATE FORTY MILLION DOLLARS (\$40,000,000) FROM THE GENERAL FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY (GMHA) TO FUND THE GUAM MEMORIAL HOSPITAL AUTHORITY'S OPERATIONAL COSTS AND CAPITAL IMPROVEMENTS."

Håfa Adai Mr. Speaker,

Bill No. 1 (3-S) appropriates \$40 million to fund capital improvement projects at the Guam Memorial Hospital (GMH), including its electrical system, and operational costs and supplies, and authorizes the Guam Memorial Hospital Authority (GMHA) to spend up to \$5 million of this appropriation specifically to replace, repair, and/or maintain its Information Technology (IT) infrastructure pursuant to 5 GCA § 5215(a), upon a declaration of emergency pursuant to 5 GCA § 5215(b)(2).

This bill was hard-fought, and though I welcome its passing, I would be remiss not to acknowledge the fiscal challenges our government will face in funding critical measures like this one in the future if the Legislature persists in enacting its intended budget for the upcoming fiscal year. In fact, during the budget cycle, certain factions within our Legislature were poised to abandon our hospital altogether, seeking to deflect responsibility for its repair to unavailable sources of funding – American Rescue Plan Act (ARPA) funds, which have been fully obligated and cannot be diverted to other purposes. Having voted to reduce government revenues by rolling back the BPT, a measure I have vetoed, our Legislature must account for its decision to prioritize wealthy businesses over the needs of our community. The crisis at GMH is only the first of many circumstances in which our Legislature will undoubtedly be confronted with their improvident intent to cut a critical revenue stream in a time of great need.

I must also note that not only is Section 3 of this Bill legally flawed, utilization of the measure provided therein would hinder GMHA's ability to use the funds as it needs to. Title 5 GCA § 5215, which is referenced in Section 3 of this bill, authorizes emergency procurements. While this bill purports to authorize the use of up to \$5 million upon a "declaration of emergency" under 5 GCA § 5215(b)(2), emergency procurements actually have no limit under existing law, so long as the procurement is made in an amount necessary to address the emergency for a ninety (90) day period.

To: The Hon. Frank Blas, Jr., *Speaker*
Fr: The Hon. Lourdes A. Leon Guerrero, *Governor of Guam*
Date: September 17, 2025
Re: Bill No. 1 (3-S)

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Further, it is unclear whether the bill requires a *declaration* of emergency, which is authorized under 5 GCA § 5215(b)(1), not (b)(2) as provided in this bill, or a *certificate* of emergency as authorized under 5 GCA § 5215(b)(2). The distinction is meaningful – a declaration requires action by the governor through an executive order, while a certificate requires action by the Chief Procurement Officer or the head of a purchasing agency. The mismatched language and statutory reference of the bill would potentially expose any resulting procurement to protest, and delay these critical procurements.

Fortunately, Bill 1 does not *require* that GMH utilize the confused method provided in Section 3 in order to access the appropriation, nor does it limit the use of procurement methods otherwise available under the law to replace, repair or maintain GMH's electrical system. Notwithstanding the confused language in Section 3, I am confident that GMHA and other agencies coordinating in its response, including the General Services Agency and the Guam Power Authority, have the necessary authority under existing law to accomplish the procurements needed to address GMH's needs.

For these reasons, I am signing Bill No. 1 (3-S) into law as ***Public Law No. 38-59***.

Senseramente,



LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 1 (3-S) nka P.L. 38-59

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws



38GL-25-1171
Messages and Communications

RECEIVED

COMMITTEE ON RULES
September 17, 2025

3:47 p.m.

Marie Crisostomo

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (THIRD) Special Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 1 (3-S)**, “AN ACT TO APPROPRIATE FORTY MILLION DOLLARS (\$40,000,000) FROM THE GENERAL FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY (GMHA) TO FUND THE GUAM MEMORIAL HOSPITAL AUTHORITY’S OPERATIONAL COSTS AND CAPITAL IMPROVEMENTS,” was on the 11th day of September 2025, duly and regularly passed.



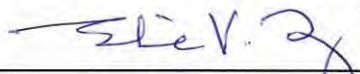
Frank F. Blas, Jr.
Speaker

Attested:



Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 12th day of September, 2025, at 2:25 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

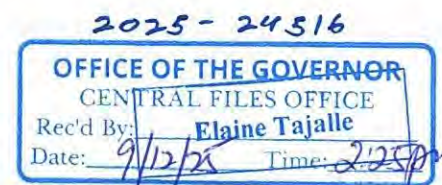
APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 9/17/2025

Public Law No. 38-59



I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (THIRD) Special Session

Bill No. 1 (3-S)

As amended in the Committee of the Whole.

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 APPROPRIATE FORTY MILLION DOLLARS (\$40,000,000) FROM THE GENERAL FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY (GMHA) TO FUND THE GUAM MEMORIAL HOSPITAL AUTHORITY'S OPERATIONAL COSTS AND CAPITAL IMPROVEMENTS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Appropriation. Notwithstanding any other provision of law,
3 the sum of Forty Million Dollars (**\$40,000,000**) is hereby appropriated from the
4 General Fund to the Guam Memorial Hospital Authority (GMHA) to fund
5 Guam Memorial Hospital Authority's capital improvement projects,
6 including its electrical system, and operational costs and supplies. Unless
7 otherwise restricted or specifically allowed by law, *I Maga'hågan Guåhan* is
8 authorized to transfer up to the appropriation amount authorized by this Act from
9 Fiscal Year 2025 General Fund Executive Branch appropriations to the Guam
10 Memorial Hospital Authority for the purposes described herein.

11 Section 2. Allocation and Expenditure Report. The Guam Memorial
12 Hospital shall submit quarterly reports of receipt and expenditure of funds to the
13 Speaker of *I Liheslaturan Guåhan*.

1 **Section 3. Emergency Procurement Allocation.** Upon a declaration of
2 an emergency pursuant to 5 G.C.A. § 5215(b)(2), Guam Memorial Hospital
3 Authority is authorized to spend up to Five Million Dollars (**\$5,000,000**) from the
4 appropriation herein to replace, repair and or maintain its electrical system and up
5 to Five Million Dollars (**\$5,000,000**) to replace, repair and or maintain its
6 Information Technology (IT) infrastructure as such procurement is allowed by 5
7 G.C.A. § 5215(a).

8 **Section 4. Effective Date.** This Act shall be effective upon enactment.

9 **Section 5. Severability.** If any provision of this Act or its application to any
10 person or circumstance is found to be invalid or inorganic, such invalidity shall not
11 affect other provisions or applications of this Act that can be given effect without
12 the invalid provision or application, and to this end the provisions of this Act are
13 severable.