

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 127-31(LS)

Introduced by:

DENNIS G. RODRIGUEZ, JR. 

AN ACT RELATIVE TO REPEALING
INORGANIC PROVISIONS IN CONFLICT
WITH 48 U.S.C. § 1421G(A) - THE ORGANIC
ACT OF GUAM, BY REPEALING §80105.5 AND
§80107 OF CHAPTER 80, TITLE 10, GUAM CODE
ANNOTATED, PERTAINING TO THE GUAM
MEMORIAL HOSPITAL AUTHORITY BOARD
OF TRUSTEES.

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

2 **Section 1. Legislative Finding and Intent.** The Thirtieth Guam
3 Legislature passed Bill No. 386-30 (COR), enacted as P.L. 30-190, in an
4 effort to further enhance the autonomy of the Guam Memorial Hospital
5 Authority. *I Liheslaturan Guåhan* now finds that certain provisions of P.L.
6 30-190 are deemed by the Attorney General of Guam to be inorganic, as
7 stated in his Opinion LEG 11-0199, of March 28, 2011. Specifically, §80105.5
8 [*Trustees Nominating Council*], and §80107 [*Removal From Office*], of Chapter
9 80, Division 4, Title 10, Guam Code Annotated, contain provisions which

1 would limit the authority of the Governor of Guam to appoint and remove
2 members of the Guam Memorial Hospital Authority Board of Trustees.

3 The Attorney General has opined that this infringement of the
4 Governor's plenary authority over GMHA is clearly contrary to the
5 authority conveyed by 48 U.S.C. § 1421g(a) - the Organic Act of Guam.

6 It is the intent of *I Liheslaturan Guåhan* to remedy this inorganic
7 conflict, as cited by the Attorney General's Opinion LEG 11-0199, by
8 repealing in its entirety, §80105.5 and §80107 of Chapter 80, Division 4,
9 Title 10, Guam Code Annotated.

10 **Section 2.** Section 80105.5 [Trustees Nominating Council;
11 Establishment] of Chapter 80 of Division 4, Title 10, Guam Code
12 Annotated, is hereby repealed in its entirety.

13 **Section 3.** Section 80107 [Removal From Office] of Chapter 80 of
14 Division 4, Title 10, Guam Code Annotated, is hereby repealed in its
15 entirety.