

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

July 10, 2013

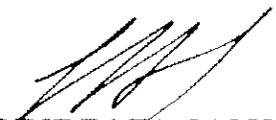
Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

32-13-592
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 7/11/13
Time 2:12 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 19-32 (COR), "AN ACT TO ADD NEW §§ 5201 TO 5205 TO CHAPTER 5 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO GAMING; TO ADD A NEW CHAPTER 97 TO TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND; AND TO ADD A NEW §80122 TO CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN URGENT HEALTHCARE CENTER, AND FOR OTHER PURPOSES" which was enacted into law without the signature of *I Maga'láhen Guåhan* as Public Law 32-060.

Senseramente,


EDDIE BAZA CALVO
I Maga'láhen Guåhan
Governor of Guam

Enclosure

592



2013 JUL 11 PM 2:27
[Signature]

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that Substitute Bill No. 19-32 (COR), "AN ACT TO ADD NEW §§ 5201 TO 5205 TO CHAPTER 5 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO GAMING; TO ADD A NEW CHAPTER 97 TO TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND; AND TO ADD A NEW §80122 TO CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN URGENT HEALTHCARE CENTER, AND FOR OTHER PURPOSES", was on the 24th day of June, 2013, duly and regularly passed.


Benajmin J.F. Cruz
Acting Speaker

Attested:


Thomas C. Ada
Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 26th day of June,
2013, at 3:00 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: JUL 09 2013

Public Law No. 32-060

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) REGULAR SESSION

Bill No. 19-32(COR)

As substituted by the Author,
and amended on the Floor.

Introduced by:

Chris M. Dueñas
B. J.F. Cruz
Tommy Morrison
T. C. Ada
V. Anthony Ada
Frank B. Aguon, Jr.
Michael T. Limtiaco
Brant T. McCreadie
T. R. Muña Barnes
Vicente (ben) C. Pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO ADD NEW §§ 5201 TO 5205 TO CHAPTER 5 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO GAMING; TO ADD A NEW CHAPTER 97 TO TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND; AND TO ADD A NEW §80122 TO CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN URGENT HEALTHCARE CENTER, AND FOR OTHER PURPOSES.

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

2 **Section 1. Legislative Findings and Intent.** Public Law 26-52:4 granted the
3 Department of Revenue and Taxation and the Cockpit License Board the authority to
4 promulgate necessary rules and regulations to create a comprehensive regulatory
5 scheme to regulate all gaming activities on Guam. Pursuant to that authority, on
6 January 3, 2003 the Department of Revenue and Taxation filed the gaming control
7 regulations with the Legislative Secretary.

8 These regulations called for the establishment of a Gaming Control Division,
9 which would be responsible for the administration of the regulations. It also created a
10 Gaming Control Commission and tasked it with the development of license fees and
11 tax rates to be assessed to the various forms of allowable gaming. The license fees and
12 taxes to be collected would be the source of funding for the administration of the Act,
13 and all funds in excess of the operational needs would be divided between the
14 Department of Education's Interscholastic Sports Program, the Guam National
15 Olympic Committee, and the Northern and Southern Sports Complexes. However, the
16 Gaming Control Commission has not had any members appointed to it, and the
17 license fees and tax rates have yet to be established.

18 It is the intent of *I Liheslaturan Guåhan* to substitute the language contained in
19 the original Bill No. 19-32(COR) by adding language to Chapter 5 of Title 11, Guam
20 Code Annotated, relative to gaming. By doing so, *I Liheslatura* intends to place in
21 statute the policy of regulating gaming activities allowed by law, collecting fees and
22 taxes that would be due from duly licensed operators, and making funds available for
23 improvements to Guam's sporting facilities.

24 **Section 2.** New §§ 5201 to 5205, relative to gaming, are hereby *added* to Title
25 11, Guam Code Annotated, to read as follows:

26 **“§ 5201. Limited Gaming Tax.**

1 (a) There is hereby imposed a limited gaming tax on the gross receipts
2 from limited gaming activities allowed by this Act in Guam. The tax rate on
3 limited gaming activities *shall* be four percent.

4 (b) (1) The Department *shall* collect the amount of limited gaming
5 tax on the gross receipts from limited gaming activities determined pursuant to
6 Subsection (a) of this Section from any limited gaming licensee owing the tax,
7 and *shall* have all of the powers, rights, and duties provided for by law to carry
8 out such collection.

9 (2) All moneys collected pursuant to this Section *shall* be
10 deposited in the Fund created by § 5204 of this Act.

11 **§ 5202. Violations of Taxation Provisions - Penalties.**

12 (a) Any person who willfully:

13 (1) makes any false or fraudulent return in attempting to defeat
14 or evade the tax imposed by this Act, commits a third degree felony and
15 *shall* be punished as provided for by law;

16 (2) fails to pay tax due under this Act within thirty days after the
17 date the tax becomes due, commits a misdemeanor and *shall* be punished
18 as provided for by law;

19 (3) fails to file a return required by this Act within thirty days
20 after the date the return is due, commits a misdemeanor and *shall* be
21 punished as provided for by law;

22 (4) violates either Subsection (2) or (3) of this Section two or
23 more times in any twelve-month period, commits a third degree felony
24 and *shall* be punished as provided for by law; and

25 (5) aids or assists in, or procures, counsels, or advises the
26 preparation or presentation under, or in connection with any matter

1 arising under any title administered by the Department, or a return,
2 affidavit, claim, or other document which is fraudulent or is false as to
3 any material fact, whether or not such falsity or fraud is with the
4 knowledge or consent of the person authorized or required to present
5 such return, affidavit, claim, or document, commits a third degree felony
6 and *shall* be punished as provided for by law.

7 (b) For purposes of this Section, "person" includes corporate officers
8 having control or supervision of, or responsibility for, completing tax returns or
9 making payments pursuant to this Act.

10 **§ 5203. Returns and Reports - Failure to File - Penalties.**

11 (a) (1) Any person who fails to file a return or report required by
12 this Act for limited gaming activities, which return or report includes taxable
13 limited gaming transactions, on or before the date the return or report is due, as
14 prescribed in § 5202(a)(3) of this Act, is subject to the payment of an additional
15 amount assessed as a penalty equal to fifteen percent of the tax, or One
16 Thousand Dollars (\$1,000), whichever is greater; *except* that for good cause
17 shown, the Director may reduce or eliminate such penalty.

18 (2) Any person, subject to taxation under this Chapter for
19 limited gaming activities, who fails to pay the tax within the time
20 prescribed, is subject to an interest charge of two percent per month or
21 portion thereof for the period of time during which the payment is late, or
22 One Thousand Dollars (\$1,000), whichever is greater.

23 (3) (A) Penalty and interest are considered the same as a tax
24 for the purposes of collection and enforcement, including liens, distraint
25 warrants, and criminal violations.

1 (B) Any payment received for taxes, penalties, or interest
2 is applied, first to the tax, beginning with the oldest delinquency,
3 then to interest, and then to penalty.

4 (4) The Director may, upon application of the taxpayer,
5 establish a maximum interest rate of twenty-four percent upon delinquent
6 taxes if the Director determines that the delinquent payment was caused
7 by a mistake of law and not by a willful intent to evade the tax.

8 (b) The procedures for collection of any taxes due under this Act and
9 the authority of the Department to collect such taxes, *shall* be the same as those
10 provided for the collection of business privilege taxes.

11 **§ 5204. Limited Gaming Fund.**

12 (a) There is hereby created, separate and apart from other funds of the
13 government of Guam, a fund to be known as the Limited Gaming Fund. All
14 license fees, taxes and penalties collected under this Act *shall* be deposited in
15 the Fund. The Fund *shall not* be commingled with the General Fund, except as
16 indicated herein, *shall* be kept in a separate bank account, and *shall not* be used
17 as a pledge of security or as collateral for government loans. The Director of
18 Administration *shall* make an itemized quarterly report to *I Maga'lahren*
19 *Guåhan* (the Governor of Guam), and *I Liheslaturan Guåhan*, of the condition
20 of, and a detailed description of all financial activity within, the Fund. The
21 Director of Administration *shall* further make an itemized annual report, which
22 *shall* be made available to the general public.

23 (b) The Fund *shall* be used first for the purpose of the administration
24 of this Act, and as otherwise stated herein. *No more than* five percent of the
25 Fund balance may be expended for this purpose, and funds *shall not* be

1 expended for personnel costs. Said Fund *shall* be examined and reported upon
2 by the Director of Administration as required by law.

3 (c) No claim for the payment of any expense incurred by the
4 Department or any other agency in the administration of this Act, shall be made
5 unless it is against the Fund. No other moneys of the government of Guam shall
6 be used or obligated to pay the expenses of the Department.

7 (d) Moneys remaining in the Fund, after maintaining the stated
8 reserves for administrative expenses of this Act, *shall* be appropriated in the
9 following manner in each fiscal year:

10 (1) *up to* one third (1/3) of the available balance to the Mayors
11 Council of Guam for the repair and construction of village recreational
12 facilities, including community centers;

13 (2) *up to* one third (1/3) of the available balance to the
14 Department of Parks and Recreation for the repair and construction of its
15 facilities; and

16 (3) *up to* one third (1/3) of the available balance to the
17 Department of Education for the repair and construction of its sports
18 facilities.

19 (e) The Mayors Council of Guam, the Department of Parks and
20 Recreation, and the Department of Education *shall* present memoranda of
21 request to the Department of Administration detailing the use of funds to be
22 allocated to each entity. Funds *shall not* be expended for personnel costs. The
23 Department of Administration *shall* release funds to each entity on the first
24 Monday of each fiscal quarter.

25 **§ 5205. Limited Gaming Activities – Authorized and**
26 **Unauthorized.**

1 (a) The following are the only limited gaming activities authorized in
2 Guam under this Act:

3 (1) Bingo or lottery that is conducted by a tax exempt non-profit
4 organization as authorized in Title 9, Guam Code Annotated, § 64.70(b);

5 (2) Cockfighting that is conducted at a licensed cockpit, and that
6 all wagers are present at the cockpit, as authorized in Title 9, Guam Code
7 Annotated, § 64.40; and

8 (3) Carnival or Liberation Day gaming, as authorized in §
9 64.62; and

10 (4) All other limited gaming activities as authorized pursuant to
11 statute.

12 (b) Each non-profit organization choosing to operate a gaming activity
13 *shall* be open to an auditing of funds by the Office of Public Accountability to
14 ensure that funding is being spent in the spirit of the non-profit's charter and the
15 public benefit.”

16 **Section 3. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
17 that the Guam Memorial Hospital Authority is seriously underfunded, resulting in
18 consistent, chronic shortages in all operational areas that jeopardize the ability of
19 Guam Memorial Hospital to adequately fulfill its mission.

20 The full scope and negative impact of the Guam Memorial Hospital Authority's
21 outstanding debts, in excess of Twenty-three Million Dollars (\$23,000,000), came to
22 light during the *Joint Status Hearing* conducted by the Committee on Health &
23 Human Services and the Committee on Appropriations, on April 18, 2012. *I*
24 *Liheslaturan Guåhan* further finds that in 2012, the federally approved discount
25 provider for medical supplies intercepted approximately Five Hundred Thousand
26 Dollars (\$500,000) (taken from Medicare reimbursements through the U.S. Treasury),

1 for non-payment of GMHA's debt. In March 2013, GMHA paid Five Million Dollars
2 (\$5,000,000) of its outstanding obligations using Compact-Impact funds, thus
3 reducing its obligation to approximately Eighteen Million Dollars (\$18,000,000) as of
4 March 31, 2013. In addition, on June 3, 2013, Bill 132-32 was introduced to expand
5 existing borrowing authority extended to the Guam Memorial Hospital Authority. A
6 public hearing was held on Bill 132-32 on June 12, 2013, and if passed into law would
7 provide approximately Fourteen Million Dollars (\$14,000,000) in financing to further
8 reduce GMHA's debt.

9 At the urging of the hospital administration, and with the support of the GMHA
10 Board of Trustees and the Executive Branch of the government of Guam, it is the
11 intent of *I Liheslaturan Guåhan* to address this lack of funding and to identify and
12 provide additional sources of funding for the hospital.

13 It is the intent of *I Liheslaturan Guåhan* that this additional funding will be to
14 deposited into the "GMHA Healthcare Trust and Development Fund," apart and
15 separate from all other funds and accounts of the government of Guam, to facilitate
16 and supplement the development and maintenance of Guam Memorial Hospital.

17 In the expenditure of GMHA HealthCare Trust and Development Fund monies,
18 it is the intent of *I Liheslaturan Guåhan* that the first priority in the expenditure of
19 Fund monies will be to extinguish the existing hospital debt, by way of a line of
20 credit, a revolving loan fund, and/or a direct loan agreement, secured and paid with a
21 funding commitment from the Fund.

22 *I Liheslaturan Guåhan* further finds that in addition to paying off the existing
23 hospital debt as expeditiously as possible, it will afford hospital administration and the
24 GMHA Board of Trustees the opportunity to address long term, systemic problems at
25 the hospital which, in addition to the gross underfunding from the government of
26 Guam, have also contributed to the accumulation of such a large debt.

1 These problems include, but are *not* limited to, the disproportionately high
2 percentage of non-emergency, urgent care services provided by the Emergency
3 Services (ER) Department; the lack of a viable, efficient pharmaceutical utilization
4 and treatment tracking computer system (and software) for procurement, billing and
5 collection purposes; and the need to establish management and operational reform
6 practices.

7 *I Liheslaturan Guåhan* further finds that Public Law 27-77 directed the
8 Compiler of Laws in §1610 and published all rules and regulations or amendments
9 thereto received prior to the commencement codified in *I Mina'Bente Siete Na*
10 *Liheslaturan Guåhan*. Those regulations include the gaming regulations found in
11 Section 3 GAR §7001.

12 *I Liheslaturan Guåhan* finds the revenues to be generated from the licensing,
13 fees, gross receipts taxes, and income taxes, and a new special assessment fee paid by
14 the gaming industry will greatly benefit Guam Memorial Hospital.

15 *I Liheslaturan Guåhan* further finds that after approximately a 5-year period
16 during which licenses for certain gaming machines were not issued, the government of
17 Guam missed the opportunity to collect a minimum Six Million Five Hundred
18 Thousand Dollars (\$6,500,000) in GRT and licensing fees over that period, which
19 does not even account for other revenue factors, such as income taxes, withholding
20 taxes, etc. In April 2013, *I Liheslaturan Guåhan* further finds these machines were
21 again eligible for licensure and operation pursuant to 3 GAR Section 7114, and
22 subsequently issued regulatory licenses by the Department of Revenue and Taxation.

23 *I Liheslaturan Guåhan* finds that a variety of different gaming and licensed
24 gaming devices and activities are currently in existence and are operated legally and
25 regularly in Guam, including devices that have been licensed twice by the current
26 administration. Examples include the lottery; casinos at Liberation Day festivities;

1 cockfighting; pachinko; and bingo, to name a few. *I Liheslatura* finds that we must be
2 consistent in the applicability of our laws, rules and regulations.”

3 Income tax, gross receipt taxes, licensing fees, and a new four percent GMHA
4 Trust Fee assessment from these recently licensed devices are considered new revenue
5 to the government of Guam. It is the intent of *I Liheslaturan Guåhan* to capture and
6 retain these revenues exclusively to subsidize the Guam Memorial Hospital
7 Authority’s effort to eliminate its longstanding debt to vendors and to start the
8 establishment of a GMHA operated outpatient Urgent Healthcare Center.

9 *I Liheslaturan Guåhan* finds that a disproportionately high percentage of
10 services being provided by the Guam Memorial Hospital Authority emergency room
11 are dedicated to non-emergency medical services, as compared to normal, dedicated
12 emergency room services. Further, these non-emergency medical services are more
13 costly to provide within the setting of an emergency room, and should more
14 appropriately be available through a private medical clinic, or, by way of an Urgent
15 Care Center. *I Liheslaturan Guåhan* takes due note of the GMHA report on
16 emergency room utilization for the year 2010, during which the 19,291 non-emergent
17 cases exceeded the 8,785 actual emergency cases. Of the \$28.7 Million Dollars in
18 costs of going to the emergency room for 2010, 68.5% or \$19.6 Million Dollars was
19 for non-emergent cases.

20 **Section 4.** A new Chapter 97 is hereby *added* to Title 10, Guam Code
21 Annotated, to read:

22 **“CHAPTER 97**

23 **ARTICLE 1**

24 **GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND**

25 § 97101. Short Title.

26 § 97102. Guam Healthcare Trust and Development Fund.

1 § 97103. Use of Funds for the Development and Support of Health Care
2 Services Programs and Facilities.

3 § 97104. Submission of Detailed Report of Expenditures on a Quarterly
4 Basis.

5 **§ 97101. Short Title.** This Act may be cited as “*The GMHA Healthcare*
6 *Trust and Development Act of 2013.*”

7 **§ 97102. Guam Healthcare Trust and Development Fund.**

8 (a) Notwithstanding any other law, there is hereby created, separate
9 and apart from other funds and accounts of the government of Guam, a fund
10 known as the *GMHA Healthcare Trust and Development Fund (Fund)*. The
11 Fund *shall not* be commingled with the General Fund or any other fund or
12 account of the government of Guam, and *shall* be kept in a separate bank
13 account, subject to legislative appropriation as provided pursuant to this
14 Chapter, to be used by the designated public healthcare agencies of the
15 government of Guam for the purposes authorized. The Fund, to include any
16 monies in the Fund dedicated and dispersed for purposes specified in this Act,
17 *shall not* be subject to the transfer authority of *I Maga’lahen Guåhan*.

18 (b) The Fund *shall* be financed by:

19 (1) licensing fees, business privilege tax, and income tax
20 collected from the companies involved in gaming as provided by 3 GAR
21 §7001 et seq. This includes those electronic gaming devices referred to
22 in §7114(a)(5) and licensed per Title 11 GCA, Chapter 22, Article 2.
23 These devices shall be known as the Liberty, Symbolix, and Match Play
24 electronic gaming devices, and only those registered with the Department
25 of Revenue of Taxation prior to August 1, 2001, pursuant to 3 GAR
26 §7114 (a)(5).

1 (2) Notwithstanding any other provision of law, the collection
2 of a special four percent (4%) assessment fee on income on all gaming
3 devices authorized to be licensed pursuant to 11 Guam Code Annotated
4 §22202 (f) and 3 GAR §7114(a)(5), to be known as the “*GMHA Trust*
5 *Fund Fee*”.

6 (c) The Department of Revenue and Taxation (hereinafter the
7 Department) *shall* collect such fees and transmit them to the Treasurer of Guam
8 for deposit into the Fund. The Department *shall*:

9 (1) develop the necessary forms and instructions for the
10 licensing of persons and companies as set forth in 3 GAR §7001 and
11 §97102 (b)(1)(2) and of this Act;

12 (2) act as the repository for the Fund for use as authorized
13 pursuant to this Article in carrying out the purpose of the Fund.

14 (d) The Department of Administration *shall* be the disbursing and
15 certifying officer for the Fund, and *shall* comply with the provisions of Chapter
16 14 of Title 46, Guam Code Annotated. The Director of Administration *shall*
17 maintain appropriate records of the Fund and *shall* provide accounting and
18 auditing services for the Fund.

19 (e) The Department of Administration *shall* disperse funds in a
20 manner compliant with §97105 of this Chapter.

21 **§ 97103. Allocations and Use of Funds; Authorized.**

22 (a) Up to sixty percent, of the funds in the GMHA Healthcare Trust
23 and Development Fund, *shall* be allocated to the Guam Memorial Hospital
24 Authority for the purpose of subsidizing the establishment and operation, in
25 whole or part, including as seed or start-up money, of an Urgent Healthcare
26 Center within the Guam Memorial Hospital Authority facility and grounds. The

1 fees collected pursuant to this Article *shall* be annually allocated and is hereby
2 appropriated, and shall continue to be deemed appropriated, annually, to the
3 Guam Memorial Hospital Authority for the sole and specific purpose of
4 subsidizing the establishment and operation, in whole or part, including as seed
5 or start-up money, of an Urgent Healthcare Medical Center within the Guam
6 Memorial Hospital Authority facility and grounds. This *shall* continue and *shall*
7 remain in full force and effect until specifically revoked or amended pursuant to
8 law.

9 (b) Up to forty percent, of the funds in the GMHA Healthcare Trust
10 and Development Fund, *shall* be allocated to the Guam Memorial Hospital
11 Authority for the purpose of subsidizing its delivery of healthcare services. The
12 fees collected pursuant to this item (b) *shall* be subject to appropriation by *I*
13 *Liheslaturan Guåhan* and may be used specifically for the following purposes:

- 14 (1) local matching funds for the Medicaid program, specifically
15 for patients seen and treated at the Guam Memorial Hospital Authority;
- 16 (2) in an effort to free up cash flow for other expenses of the
17 Authority, funds from this item (b) may be used as additional debt
18 service payments for any existing borrowing by the Authority;
- 19 (3) funding for the establishment of new revenue generating
20 medical services; and
- 21 (4) funding for medication, supplies, and medical equipment.

22 (c) Fees received, pursuant to this § 97103, *shall not* be subject to the
23 transfer authority of *I Maga'lahaen Guåhan*, nor may they be expended for
24 purposes not specifically provided for pursuant to this Chapter.

25 **§ 97104. Submission of Detailed Report of Expenditures on a**
26 **Quarterly Basis.** The Administrator of the Guam Memorial Hospital Authority

1 *shall* submit to *I Liheslaturan Guåhan* and *I Maga'lahaen Guåhan* a detailed
2 report of the expenditures of the GMHA Healthcare Trust and Development
3 Fund on a quarterly basis.”

4 **Section 5. GMHA Urgent Healthcare Center.**

5 (a) **Legislative Intent.**

6 It is the intent of *I Liheslaturan Guåhan* to mandate the establishment and
7 operation of an outpatient Urgent Healthcare Center within the GMHA facility
8 premise.

9 (b) A new §80122 is hereby *added* to Chapter 80 of Division 4, Title 10,
10 Guam Code Annotated, to read:

11 **“§ 80122. Urgent Healthcare Center, Established.**

12 (a) The Guam Memorial Hospital Authority *shall* establish, within the
13 premises of the hospital facility, an urgent healthcare medical services center
14 for non-emergency outpatient medical services. The urgent care center *shall*
15 serve as a center to treat patients who have an injury or illness that requires
16 immediate care, but are *not* apparently serious enough to require emergency
17 room attention.

18 (b) Criteria for Urgent Healthcare Center. The Urgent Healthcare
19 Center *shall* seek to develop and maintain a standard of medical care that
20 meets the minimum criteria and requirements for primary care or urgent care
21 services, as set forth by the Joint Commission and the CMS.

22 (c) The Guam Memorial Hospital Authority (GMHA) *shall* within
23 thirty (30) days of enactment of this Act: establish a working group comprised
24 of the necessary expertise, including the Chairperson of the GMHA
25 Emergency Medicine Department or his designee to develop:

26 (1) Urgent Healthcare Center operational criteria;

1 (2) identify adequate, available space for the establishment of
2 the Urgent Healthcare Center; and,

3 (3) a plan of action, inclusive of the financial requirements to
4 commence the requisite processes necessary for GMHA to establish an
5 Urgent Healthcare Center.

6 (d) Within ninety days of the establishment of the working group, the
7 Administrator *shall* present a report addressing items (1), (2) and (3) of
8 Subsection (c) to the GMHA Board of Trustees for their approval of the
9 execution to establish the Urgent Healthcare Center.

10 (e) The Administrator *shall*, upon approval of the plan of action by the
11 GMHA Board of Trustees, submit to *I Liheslaturan Guåhan* a copy of the final
12 report.”

13 **Section 6. Rules and Regulations.** Within 180 days of the empanelling of the
14 Guam Gaming Commission (Commission), the Commission *shall* develop rules and
15 regulations providing a fee schedule for the assessment of across-the-board fees for all
16 gaming activities taking place in Guam, and consistent with existing rules and
17 regulations, and this Act.

18 Such new rules and regulations *shall* also be consistent with the manner in
19 which existing gaming devices have been legally authorized pursuant to Title 11
20 Guam Code Annotated §22202(f) and Title 3 Guam Administrative Rules
21 §7114(a)(5), as well as with the provisions of this Act.

22 Such rules and regulations *shall* also be consistent in the manner in which other
23 such gaming devices are taxed and in which fees are assessed. Such rules and
24 regulations *shall* be implemented pursuant to the provisions of Title 5 Guam Code
25 Annotated Chapter 9, the Administrative Adjudication Law.

1 **Section 7.** The tax imposed by this Act and the authority to license all gaming,
2 limited gaming, and gambling referenced herein *shall* be repealed upon the payment
3 of vendors of GMH as appended herein to be reference and re-incorporated in this bill
4 in the deleted Section 5 of the bill.

5 **Section 8. Severability.** If any provision of this Act or its application to any
6 person or circumstance is found to be invalid or contrary to law, such invalidity shall
7 not affect other provisions or applications of this Act which can be given effect
8 without the invalid provisions or application, and to this end the provisions of this Act
9 are severable.

10 **Section 9. Effective Date.** This Act *shall* become effective upon enactment.