

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 82-16

WHEREAS, pursuant to Public Law 14-29, the Guam Memorial Hospital Authority (GMHA) has operated a prepaid health plan known as the Guam Memorial Health Plan (GMHP);

WHEREAS, pursuant to Public Law 16-98, on September 2, 1982, GMHA's statutory authority to maintain and operate GMHP was transferred, together with GMHP's personnel and property, to a new public corporation created to operate the health plan;

WHEREAS, pursuant to Public Law 16-98, GMHP's assets and liabilities remain with GMHA during a transition period which began on September 2, 1982, and which ends on the first day of the month after the date that legislatively confirmed trustees of the new corporation adopt articles of incorporation;

WHEREAS, Public Law 16-98 does not provide for GMHP's operation and government during this transition period which is essential if GMHP is to meet existing contractual obligations and continue to be a viable institution;

NOW, THEREFORE, I, PAUL M. CALVO, Governor of Guam, by the authority vested in me by the Organic Act of Guam, hereby order as follows:

1. The Board of Trustees of the Guam Memorial Hospital Authority shall serve as the interim Board of Trustees of the new corporation named Guam Memorial Health Plan for the duration of the transition period described hereinabove, with full authority to exercise the corporate powers set forth in Government Code Section 49023 and with full authority to exercise dominion, use, and control over GMHP's assets and liabilities as defined in Government Code Section 49032 for corporate purposes, but excluding the power to incorporate pursuant to Government Code §49025(b).

2. At its first meeting after incorporation, the GMHP Board of Trustees shall ratify the acts and deeds of the interim Board of Trustees.

3. During the period from the date the GMHP articles of incorporation are adopted until the transition period ends, the interim Board shall only exercise GMHP's corporate powers pursuant to a request by resolution from GMHP's Board of Trustees.

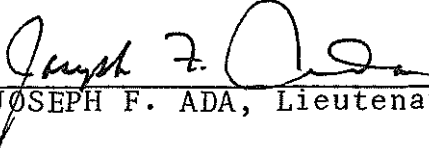
4. In the event Public Law 16-98 is amended to correct the deficiencies addressed by this order, then this order shall automatically expire.

Promulgated at Agana, Guam this 8th day of September, 1982.



PAUL M. CALVO, Governor of Guam

COUNTERSIGNED BY:



JOSEPH F. ADA, Lieutenant Governor