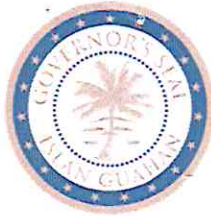


I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|---|--|--|----------------------|---------------|--|-----------------------|---|---|-------|
| 402-35 (COR) As amended by the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self-Determination, and Regional Affairs; and further amended on the Floor | Tina Rose Muña Barnes Amanda L. Shelton Kelly Marsh (Taitano), PhD | AN ACT TO AUTHORIZE THE EXTENSION OF THE TERM ON THE USE AGREEMENTS LEASE OF PROPERTIES RECOGNIZED AS THE GUAM FOOTBALL (SOCCER) ASSOCIATION (GFA) NATIONAL TRAINING CENTER IN DEDEDO AND THE SOUTHERN SPORTS COMPLEX IN AGAT, BETWEEN THE DEPARTMENT OF PARKS AND RECREATION AND THE GUAM FOOTBALL (SOCCER) ASSOCIATION, FOR A TERM OF UP TO TWENTY (20) YEARS. | 9/18/20 3:22 p.m. | 10/2/20 | Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña-Revitalization, Self-Determination, and Regional Affairs | 10/15/20 5:30 a.m. | 12/8/20 1:07 p.m. As amended by the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self-Determination, and Regional Affairs. | Request: 10/2/20 10/6/20 | |
| | SESSION DATE | TITLE | DATE PASSED | TRANSMITTED | DUE DATE | PUBLIC LAW NO. | DATE SIGNED | NOTES | |
| | 12/7/20 | AN ACT TO AUTHORIZE THE EXTENSION OF TERMS OF AGREEMENTS BETWEEN THE DEPARTMENT OF PARKS AND RECREATION AND THE GUAM FOOTBALL (SOCCER) ASSOCIATION CONCERNING GOVERNMENT OF GUAM PROPERTIES RECOGNIZED AS THE GUAM FOOTBALL (SOCCER) ASSOCIATION NATIONAL TRAINING CENTER IN DEDEDO AND THE SOUTHERN SPORTS COMPLEX IN AGAT. | 12/17/20 | 12/17/20 | 12/29/20 | 35-135 | 12/29/20 | Received: 12/29/20 Mess and Comm. Doc. No. 35GL-20-2562 | |

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

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

December 29, 2020

HONORABLE TINA ROSE MUÑA BARNES

Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan

35th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

35GL-20-2562
Speaker Tina Rose Muña Barnes

DEC 29 2020
Time 6:11 PM
Received By: mgt

Re: Bill No. 402-35 (COR) – An Act to Authorize the Extension of Terms of Agreements between the Department of Parks and Recreation and the Guam Football (Soccer) Association Concerning Government of Guam Properties Recognized as the Guam Football (Soccer) Association National Training Center in Dededo and the Southern Sports Complex in Agat

Dear Madame Speaker:

I sign Bill No. 402 with reservations. There is no doubt that Guam Football Association's ("GFA") impact on the development of local soccer players has been incredible. Serving thousands in our community, the GFA's youth and adult leagues have fostered healthy competition and sportsmanship and served as the basis for the growth of our island's national teams, which have represented us internationally at some of the highest levels of play.

While GFA has enjoyed significant success, there have been areas of concern with regard to its administration. In a widely publicized case in 2017, the former GFA President pleaded guilty in federal court to corruption charges which brought embarrassment and disrepute to Guam. Prior audits by the Office of Public Accountability ("OPA") have disclosed, among other things, that GFA awarded multiple projects to close relatives or acquaintances of the former GFA President or Executive Committee members, the OPA could not determine whether the matching requirements for tax credits were satisfied, there were violations of the AFC and Fédération Internationale de Football Association ("FIFA") code of Ethics and admissions fees required to be remitted to the Government were delayed or not paid until after audits were initiated. An updated performance audit would help to see if the conflicts and management issues have been addressed which I believe

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To: Speaker Tina Muna Barnes
Fr: Governor of Guam
Date: December 29, 2020
Re: Bill No. 402-35 *nka P.L. 35-135*

Page 2 of 2

is important before executing the legal instruments necessary to extend the lease contemplated by Bill 402, which is now ***Public Law No. 35-135***.

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

Enclosure: Bill No. 402-35 (COR) *nka P.L. 35-135*

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

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

This is to certify that **Bill No. 402-35 (COR), "AN ACT TO AUTHORIZE THE EXTENSION OF TERMS OF AGREEMENTS BETWEEN THE DEPARTMENT OF PARKS AND RECREATION AND THE GUAM FOOTBALL (SOCCER) ASSOCIATION CONCERNING GOVERNMENT OF GUAM PROPERTIES RECOGNIZED AS THE GUAM FOOTBALL (SOCCER) ASSOCIATION NATIONAL TRAINING CENTER IN *DEDEDO* AND THE SOUTHERN SPORTS COMPLEX IN *AGAT*,"** was on the 17th day of December 2020, duly and regularly passed.



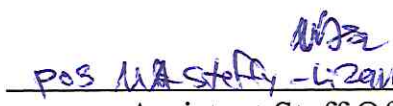
Tina Rose Muña Barnes
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 17th day of Dec,
2020, at 10:26 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 12/29/2020

Public Law No. 35-135

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 402-35 (COR)

As amended by the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self-Determination, and Regional Affairs; and further amended on the Floor.

Introduced by:

Tina Rose Muña Barnes
Amanda L. Shelton
Kelly Marsh (Taitano), PhD
William M. Castro
Régine Biscoe Lee
James C. Moylan
Louise B. Muña
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Telo T. Taitague
Jose “Pedro” Terlaje
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO AUTHORIZE THE EXTENSION OF TERMS OF AGREEMENTS BETWEEN THE DEPARTMENT OF PARKS AND RECREATION AND THE GUAM FOOTBALL (SOCCER) ASSOCIATION CONCERNING GOVERNMENT OF GUAM PROPERTIES RECOGNIZED AS THE GUAM FOOTBALL (SOCCER) ASSOCIATION NATIONAL TRAINING CENTER IN *DEDEDO* AND THE SOUTHERN SPORTS COMPLEX IN *AGAT*.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

that the Guam Football (Soccer) Association is a duly registered non-profit

1 organization engaged in the development and promotion of sports activities,
2 especially in the sport of soccer. The Guam Football (Soccer) Association has been
3 a member of the *Fédération Internationale de Football Association* (FIFA) since
4 1996, and has been successful in obtaining grants from FIFA, which it has used to
5 build more sports facilities on Guam and initiate programs to develop the youth of
6 Guam.

7 *I Liheslaturan Guåhan* further finds that in order to attain further funding from
8 FIFA, the Guam Football (Soccer) Association requires at least twenty (20) years
9 remaining on its agreements with the Department of Parks and Recreation.

10 Furthermore, *I Liheslaturan Guåhan* finds that the public-private partnership
11 between the Guam Football (Soccer) Association and the government of Guam
12 initiated through Public Law 24-33 in 1997 and Public Law 30-3 in 2009, via the
13 Department of Parks and Recreation, has proven to be the most expeditious and cost
14 effective method in the development of an impressive sports facility—namely a
15 soccer stadium for the island of Guam.

16 It is, therefore, the intent and desire of *I Liheslaturan Guåhan* to continue this
17 partnership by providing the Guam Football (Soccer) Association the means to
18 secure additional grants from FIFA in the development of facilities that meet the
19 international competition standards of the appropriate governing bodies.

20 **Section 2. Extension of Term for the Guam Football (Soccer)**
21 **Association National Training Center Soccer Facility.**

22 (a) Notwithstanding any other provision of law, *I Liheslaturan Guåhan*
23 hereby approves an extension of the term of the license agreement between the
24 Department of Parks and Recreation and the Guam Football (Soccer) Association on
25 a portion of Lot No. 10142-NEW, *Dededo*, as provided within Public Law 24-33 for
26 a total period of up to twenty (20) years, subject to the execution by *I Maga'hågan*

1 *Guåhan*, attested by *I Sigundo Maga'låhen Guåhan*, and approval as to form by the
2 Attorney General of Guam, pursuant to 21 GCA § 60114(c).

3 (b) All references to the unsubdivided portion of Lot No. 10142-NEW,
4 *Dededo* as provided within Public Law 24-33 shall be henceforth referenced by its
5 subdivided delineation more particularly described as:

6 **Lot No. 10142 NEW-4**, located within the municipality of *Dededo*,
7 belonging to the government of Guam, Estate No. 76464, with the last
8 filed Certificate of Title No. 115954, delineated within D.L.M. Map
9 No. 13387 and filed as D.L.M. Instrument Number 788675 recorded at
10 the Department of Land Management, Office of the Recorder,
11 containing an area of +79,596 square meters or 19.6 acres.

12 (c) The term of the license agreement for the original premises shall be
13 extended under the same terms, covenants, and conditions contained in the original
14 license agreement, except to the extent specifically modified by this Act, so that the
15 term of the license agreement shall expire on the extended-term expiration date or
16 on such earlier date upon which the term of the license agreement shall expire, be
17 canceled, or terminated pursuant to any of the conditions or covenants of the license
18 agreement or pursuant to law. The assignment of the license agreement shall require
19 the concurrence of *I Liheslaturan Guåhan*.

20 (d) The Guam Football (Soccer) Association shall hold the government of
21 Guam harmless and shall indemnify and waive any claim it may have arising out of
22 the use of the licensed premises, and releases and exculpates the government of
23 Guam for any liability in connection with the use of the licensed premises.

24 (e) The Guam Football (Soccer) Association shall comply with all laws
25 applicable in the use of the premises.

26 (f) Any debt whatsoever incurred by the Guam Football (Soccer)
27 Association shall not be a debt of the government of Guam. The government of

1 Guam's share of revenues collected on the use of the premises shall be deposited in
2 the Public Recreation Services Fund.

3 **Section 3. Extension of Term for the Southern Sports Complex.**

4 (a) Notwithstanding any other provision of law, *I Liheslaturan Guåhan*
5 hereby approves an extension of the original term of the Memorandum of
6 Agreement (MOA) between the Department of Parks and Recreation and the Guam
7 Football (Soccer) Association on a portion of Lot No. 477, *Agat*, as provided within
8 Public Law 30-3, for an additional six (6) years, for a total period of up to thirty-one
9 (31) years, with the option to renew for an additional twenty-five (25) years as
10 provided in Section 2 of the MOA, which amounts to a total of fifty-six (56) years,
11 subject to the execution by *I Maga'hågan Guåhan*, attested by *I Sigundo Maga'låhen*
12 *Guåhan*, and approval as to form by the Attorney General of Guam, pursuant to 21
13 GCA § 60114(c).

14 (b) All references to the unsubdivided portion of Lot No. 477, *Agat*, as
15 provided within Public Law 30-3 shall be henceforth referenced by its subdivided
16 delineation more particularly described as:

17 **An undivided portion of Lot No. 477-R1**, located within the
18 municipality of Agat, belonging to the government of Guam, identified
19 as the "Southern Sports Complex" in the exhibit known as the
20 Government of Guam Reserved Lands List, which is annexed to
21 Section 2(b) of Public Law 22-18, containing a subdivided area of
22 +104,697 square meters or 25.87 acres.

23 (c) The term of the MOA for the original premises shall be extended under
24 the same terms, covenants, and conditions contained in the original MOA, except to
25 the extent specifically modified by this Act, so that the term of the MOA shall expire
26 on the extended-term expiration date or on such earlier date upon which the term of
27 the MOA shall expire, be canceled, or terminated pursuant to any of the conditions

1 or covenants of the MOA or pursuant to law. The assignment of the MOA shall
2 require the concurrence of *I Liheslaturan Guåhan*.

3 (d) The Guam Football (Soccer) Association shall hold the government of
4 Guam harmless and shall indemnify and waive any claim it may have arising out of
5 the use of the premises, and releases and exculpates the government of Guam for
6 any liability in connection with the use of the premises.

7 (e) The Guam Football (Soccer) Association shall comply with all laws
8 applicable in the use of the MOA premises.

9 (f) Any debt whatsoever incurred by the Guam Football (Soccer)
10 Association shall not be a debt of the government of Guam. The government of
11 Guam's share of revenues collected on the use of the premises shall be deposited in
12 the Public Recreation Services Fund.

13 **Section 4. Severability.** If any provision of this Act or its application to any
14 person or circumstance is found to be invalid or contrary to law, such invalidity shall
15 not affect other provisions or applications of this Act that can be given effect without
16 the invalid provision or application, and to this end the provisions of this Act are
17 severable.