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

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

This is to certify that **Bill No. 116-31 (COR), "AN ACT TO APPROVE THE LEASE BY AND BETWEEN THE GOVERNMENT OF GUAM AND THE GUAM NATIONAL TENNIS FEDERATION, BY *ADDING* A NEW §77125 TO ARTICLE 1 OF CHAPTER 77 OF TITLE 21, GUAM CODE ANNOTATED"**, was on the 10th day of May, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 12th day of May, 2011, at 10:30 o'clock A.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 116-31 (COR)
As amended on the Floor.

Introduced by: T. R. Muña Barnes
v. c. pangelinan
B. J.F. Cruz
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO APPROVE THE LEASE BY AND BETWEEN THE GOVERNMENT OF GUAM AND THE GUAM NATIONAL TENNIS FEDERATION, BY *ADDING* A NEW §77125 TO ARTICLE 1 OF CHAPTER 77 OF TITLE 21, GUAM CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam National Tennis Federation (GNTF), is a duly registered non-profit organization engaged in the development and promotion of sports activities, namely the sport of tennis, and is the governing body of tennis on Guam. GNTF is

responsible for nominating athletes to the Guam National Olympic Committee for selection to Team Guam in international competitions, for training National Team and Junior National Team players, for hosting international and local tournaments, for running various programs aimed at introducing tennis to Guam's youth and developing young players, and conducting community outreach clinics to promote tennis (and sports generally) to the island community.

It is the intent of *I Liheslaturan Guåhan* to solidify Guam's image as a bona fide international sports destination in support of expanding our tourism destination to include Sports Tourism for Guam.

I Liheslaturan Guåhan recognizes that Guam is poised to become a major regional player in world-class level international tennis events, contributing to the Guam Visitors Bureau's goal of developing Sports Tourism.

I Liheslaturan Guåhan further finds that it is the intent of the GNTF to provide a venue for international tennis tournaments, at which elite international players may compete, and to develop the sport of tennis through the introduction and development of tennis to the youth, thereby providing productive and healthy alternatives to sedentary or destructive behavior.

I Liheslaturan Guåhan recognizes that the Guam National Tennis Federation is committed to providing programs and competition to the adult community, contributing to the health and well being of the community.

I Liheslaturan Guåhan further recognizes that the Guam National Tennis Federation is proposing to build a multi-court facility that meets the standards for international competition as required by the ITF. The construction of a comprehensive tennis center will promote Guam's image as an international sports destination, as well as provide a facility for the Guam National Tennis Federation to implement programs for the benefit of Guam's youth and general population.

Section 2. A new §77125 is hereby *added* to Article 1 of Chapter 77 of Title 21, Guam Code Annotated, to read as follows:

"§77125. Authorization to Lease Land under the Administration of the Department of Parks and Recreation to the Guam National Tennis Federation.

(a) *I Maga'lahen Guåhan* is authorized to lease a portion, *no less than* 20,235± square meters of land area, of Lot No. 10142-New, municipality of *Dededo*, consisting of 242,694.07± square meters to the Guam National Tennis Federation.

(b) **Terms of the Lease.** *I Maga'lahen Guåhan shall* execute all instruments necessary to carry out the provisions of Subsections (1) through (5) of this Section.

(1) The Department of Parks and Recreation *shall* identify the portion of Lot No. 10142-New (Lot), *Dededo*, *no less than* 20,235 square meters, to be leased;

(2) The Government *shall* lease the Lot to the Guam National Tennis Federation for the sum of One Dollar ($1.00) per annum for twenty-five (25) years, with an option to renew for another twenty-five (25) years. The GNTF may subject the property and its improvements to a leasehold mortgage, subject to the approval of *I Liheslatura* (the Legislature);

(3) The use of the leasehold *shall be limited* to those activities consistent with the mission and purpose of the lessee, as detailed in GNTF's governing documents, and for the activities authorized herein;

(4) The leasehold is *not* assignable *nor may* it be sublet without *I Liheslaturan Guåhan's* approval; and

(5) Any change in the tax status of the lessee *shall* require an immediate renegotiation of the lease. *If* such change *shall* be to a for-profit entity, the annual rate of the lease *shall* be *no less than* ten percent (10%) of the actual market value of the property.

(c) **Approval of Lease.** Notwithstanding any other laws to the contrary, the lease by the government of Guam to the GNTF of the Lot and improvements thereon, *shall* be executed by *I Maga'lahi* and the duly authorized representative of the GNTF and *shall* require the concurrence of *I Liheslaturan Guåhan."*

Section 3. Severability. *If* any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall *not* affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.