EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

DEC 12 2018

Hon. Speaker Therese M. Terlaje
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Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Madam Speaker:

Transmitted herewith is Bill No. 342-34 (COR), **"AN ACT TO AUTHORIZE THE CHAMORRO LAND TRUST COMMISSION (CLTC) TO LEASE LOT 7161-R1, YIGO, GUAM, FOR A PERIOD OF UP TO FIFTY (50) YEARS, AND TO GIVE THE RIGHT OF FIRST REFUSAL TO THE GUAM RACING FEDERATION (GRF), FOR THE CONTINUED OPERATION OF THE GUAM INTERNATIONAL RACEWAY PARK, AND TO REQUIRE THE LEASE OF SAID LOT TO BE APPROVED BY THE LEGISLATURE,"** which was signed on December 12, 2018, as **Public Law 34-142.**

Senseramente,

EDDIE BAZA CALVO

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

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

This is to certify that **Bill No. 342-34 (COR), "AN ACT TO AUTHORIZE THE CHAMORRO LAND TRUST COMMISSION (CLTC) TO LEASE LOT 7161-R1, YIGO, GUAM, FOR A PERIOD OF UP TO FIFTY (50) YEARS, AND TO GIVE THE RIGHT OF FIRST REFUSAL TO THE GUAM RACING FEDERATION (GRF), FOR THE CONTINUED OPERATION OF THE GUAM INTERNATIONAL RACEWAY PARK, AND TO REQUIRE THE LEASE OF SAID LOT TO BE APPROVED BY THE LEGISLATURE,"** was on the 30th day of November 2018, duly and regularly passed.

Therese M. Terlaje
Acting Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 30 day of NOV, 2018, at 7:55 o'clock P.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: DEC 12 2018

Public Law No. 34-142

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. 342-34 (COR)
As amended by the Committee on Environment, Land, Agriculture and Procurement Reform; and further amended on the Floor.

Introduced by: Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO AUTHORIZE THE CHÁMORRO LAND TRUST COMMISSION (CLTC) TO LEASE LOT 7161-R1, *YIGO*, GUAM, FOR A PERIOD OF UP TO FIFTY (50) YEARS, AND TO GIVE THE RIGHT OF FIRST REFUSAL TO THE GUAM RACING FEDERATION (GRF), FOR THE CONTINUED OPERATION OF THE GUAM INTERNATIONAL RACEWAY PARK, AND TO REQUIRE THE LEASE OF SAID LOT TO BE APPROVED BY THE LEGISLATURE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Racing Federation (GRF), a non-profit organization sanctioned by the

Department of Revenue and Taxation, was granted a license agreement by the Chamorro Land Trust Commission (CLTC) to use Lot 7161-R1 in *Yigo*, Guam, under Department of Land Management Instrument Number 503740. The license term expired on May 31, 2018, with no remaining options to extend.

I Liheslaturan Guåhan also finds that during the twenty (20)-year license period the GRF significantly contributed to the promotion and growth of sports tourism by constructing the necessary racing facilities to enable the hosting of the "Smokin' Wheels" off-road races, an annual event that started in 1979, as well as numerous other annual motor and non-motor racing events.

I Liheslaturan Guåhan also finds that during the twenty (20)-year license period the development plans by the GRF for the Guam International Raceway Park were placed on hold for approximately seven (7) years due to the uncertainty of the military buildup and the location of the firing ranges.

I Liheslaturan Guåhan further finds that the raceway facility has effectively provided a safe venue for speed testing and drag racing, virtually eliminating illegal drag racing on Guam's highways.

Therefore, *I Liheslaturan Guåhan* intends to authorize the lease of Lot 7161-R1 in *Yigo*, Guam for a period of up to fifty (50) years, and to allow the granting of a "right of first refusal" to the GRF (the current licensee); and, to require that the CLTC transmit to *I Liheslatura* (the Legislature) a negotiated lease within one hundred eighty (180) days from enactment of this Act.

Section 2. Authorization to Lease. Notwithstanding any other provisions of law, *I Liheslaturan Guåhan* authorizes the CLTC to lease Lot 7161-R1 in the municipality of *Yigo* for a period of up to fifty (50) years for commercial purposes, to include the operation of a raceway, related support facilities, and various outdoor events.

Section 3. Right of First Refusal. The CLTC *shall* give right of first refusal to the current licensee, the GRF; provided, that if granted right of first refusal, GRF must express its intention in writing to the Executive Director of the CLTC no later than fifteen (15) days from the date of enactment of this Act.

Section 4. Lease Terms. Notwithstanding any other provisions of law, *I Liheslaturan Guåhan* authorizes the CLTC to negotiate the terms of the lease for Lot 7161-R1, municipality of *Yigo*, Guam; provided, that such negotiated lease *shall* be submitted to *I Liheslatura* (the Legislature) for approval by statute.

If the current licensee, GRF, exercises the "right of first refusal," the CLTC *shall* within one hundred eighty (180) days from GRF's exercise of the "right of first refusal," submit the lease negotiated with the GRF to *I Liheslatura* (the Legislature) for approval by statute. Except as specifically provided in this Act, conditions of the lease *shall* comply with 21 GCA § 75122. Notwithstanding any other provision of law, mineral extraction is prohibited and *shall not* be included in the terms of the lease.

Section 5. Lease Revenues.

(a) Proceeds from the leasing of Lot 7161-R1, municipality of *Yigo*, *shall* be deposited into the Chamorro Land Trust Survey and Infrastructure Fund Account during the term of the lease.

(b) All monies in the Chamorro Land Trust Survey and Infrastructure Fund Account are hereby appropriated to the CLTC to be expended in accordance with 21 GCA Chapter 75, and are not subject to *I Maga'låhen Guåhan's* transfer authority. The Administrative Director *shall* comply with all existing reporting requirements by submitting a quarterly report of the Chamorro Land Trust Survey and Infrastructure Fund Account to *I Maga'låhen Guåhan*, *I Liheslaturan Guåhan*, and the Office of Public Accountability. The Administrative Director *shall* ensure that the Chamorro

Land Trust Survey and Infrastructure Fund Account is in compliance with all existing statutes, rules and regulations, codes, executive orders, and any other authority that is applicable to the Commission and the use of the funds in the Chamorro Land Trust Survey and Infrastructure Fund Account pursuant to 21 GCA Chapter 75.

Section 6. Severability. If any provision of this Act 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 Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.