Guam Legislature Clerks <clerks@guamlegislature.org>

## Messages and Communications

1 message

**Speaker's Office** <speaker@guamlegislature.org> Tue, Dec 29, 2020 at 7:25 PM
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

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|---|---|---|---|---|---|
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 415-35 (COR), signed into law as Public Law No. 35-125. | Office of the Governor of Guam | 35GL-20-2552 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 353-35 (COR), signed into law as Public Law No. 35-126. | Office of the Governor of Guam | 35GL-20-2553 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 396-35 (COR), signed into law as Public Law No. 35-127. | Office of the Governor of Guam | 35GL-20-2554 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 302-35 (COR), signed into law as Public Law No. 35-128. | Office of the Governor of Guam | 35GL-20-2555 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 368-35 (LS), signed into law as Public Law No. 35-129. | Office of the Governor of Guam | 35GL-20-2556 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 373-35 (COR), signed into law as Public Law No. 35-130. | Office of the Governor of Guam | 35GL-20-2557 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 417-35 (COR), signed into law as Public Law No. 35-131. | Office of the Governor of Guam | 35GL-20-2558 |
| 12/29/20 | 6:11 PM | 12/29/20 | Substitute Bill No. 56-35 (COR), signed into law as Public Law No. 35-132. | Office of the Governor of Guam | 35GL-20-2559 |
| 12/29/20 | 6:11 PM | 12/29/20 | Substitute Bill No. 62-35 (COR), signed into law as Public Law No. 35-133. | Office of the Governor of Guam | 35GL-20-2560 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 314-35 (COR), signed into law as Public Law No. 35-134. | Office of the Governor of Guam | 35GL-20-2561 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 402-35 (COR), signed into law as Public Law No. 35-135. | Office of the Governor of Guam | 35GL-20-2562 |
| 12/29/20 | 6:11 PM | 12/29/20 | Substitute Bill No. 340-35 (COR), lapsed into law as Public Law No. 35-136. | Office of the Governor of Guam | 35GL-20-2563 |
| 12/29/20 | 6:11 PM | 12/29/20 | Bill No. 304-35 (COR), Vetoed. | Office of the Governor of Guam | 35GL-20-2564 |


*Sinseru yan Minagåhet,*

**Office of the Speaker • Tina Rose Muña Barnes**
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
*I Mina'trentai Singko na Liheslaturan Guåhan*

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.


**13 attachments**

- **GoG-Bill No. 415-35 (COR), nka PL. 35-125.pdf** 875K
- **GoG-Bill No. 353-35 (COR), nka PL. 35-126.pdf** 757K
- **GoG-Bill No. 396-35 (COR), nka PL. 35-127.pdf** 1573K
- **GoG-Bill No. 302-35 (COR), nka PL. 35-128.pdf** 1001K
- **GoG-Bill No. 368-35 (LS), nka PL. 35-129.pdf** 2715K
- **GoG-Bill No. 373-35 (COR), nka PL. 35-130.pdf** 699K
- **GoG-Bill No. 417-35 (COR), nka PL. 35-131.pdf** 1803K
- **GoG-SBill No. 56-35 (COR), nka PL. 35-132.pdf** 1098K
- **GoG-SBill No. 62-35 (COR), nka PL. 35-133.pdf** 2151K
- **GoG-Bill No. 314-35 (LS), nka PL. 35-134.pdf** 1325K
- **GoG-Bill No. 402-35 (COR), nka PL. 35-135.pdf** 1646K
- **GoG-SBill No. 340-35 (COR), lapsed as PL. 35-136.pdf** 2381K
- **GoG-Bill No. 304-35 (COR), Vetoed.pdf** 2887K

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

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

December 29, 2020

35GL-20-2562
Speaker Tina Rose Muña Barnes
DEC 29 2020
Time 6:11 (AM) PM
Received By: mgft

**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

**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 International 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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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**

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

POS MA Staff - Lizama 787
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 "Pedo" 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Section 4. 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.