

I Mina'trentai Sais 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
51-36 (COR) As amended by the Committee on Health, Land, Justice, and Culture and further amended on the Floor	Therese M. Terlaje Telena Cruz Nelson Sabina Flores Perez Christopher M. Dueñas Frank Blas Jr. Tina Rose Muña Barnes	AN ACT RELATIVE TO THE AUTHORIZATION FOR THE USE OF REAL PROPERTY WITHIN THE ADMINISTRATIVE JURISDICTION OF THE GUAM WATERWORKS AUTHORITY FOR THE CONSTRUCTION AND MAINTENANCE OF SOCCER FIELDS AND RELATED FACILITIES.	2/1/21 4:42 p.m.	2/3/21	Committee on Health, Land, Justice, and Culture	3/11/21 9:00 a.m.	4/15/21 12:40 p.m. As amended by the Committee on Health, Land, Justice and Culture	Request: 2/3/21 2/23/21	4/28/21 8:00 a.m. Supplement Document to the Committee Report on Bill No. 51-36 (COR). As amended by the Committee.
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	4/23/21	AN ACT RELATIVE TO THE AUTHORIZATION FOR THE USE OF REAL PROPERTY UNDER THE ADMINISTRATIVE JURISDICTION OF THE GUAM WATERWORKS AUTHORITY FOR THE CONSTRUCTION AND MAINTENANCE OF SOCCER FIELDS AND RELATED FACILITIES.	4/30/21	4/30/21	5/12/21	36-21	5/12/21	Received: 5/12/21 Mess and Comm. Doc. No. 36GL-21-0571	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

May 12, 2021

HONORABLE THERESE M. TERLAJE
Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Doc Type: 36GL-21-0571
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

85-12-2021

Time: 5:46 PM
Received: AM

Re: BILL NO. 51-36 (COR) – An Act Relative to the Authorization for the Use of Real Property Under the Administrative Jurisdiction of the Guam Waterworks Authority for the Construction and Maintenance of Soccer Fields and Related Facilities

Buenas yan Hafa Adai Madame Speaker:

Last year, I signed Public Law No. 35-135 which authorized an extension on the leases to the Guam Football Association (“GFA”) on land in Dededo and Agat for the development and maintenance of soccer complexes. Then, as now, I recognize and applaud GFA for its commitment to the advancement of our players and coaches, on the local, national, and international levels. The game of soccer has fostered sportsmanship and teamwork across all ages in our community. As competitive sports have recommenced, we see very well how much joy athletic competition brings to our people. While I look forward to an updated performance audit to ensure that the concerns raised previously with regard to GFA administration are addressed, I also know that a soccer facility in the Ordot-Chalan Pago area will be fantastic service to the people of our central region. Bill No. 51-36 is now **Public Law No. 36-21**.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hāgan Guåhan
Governor of Guam

COMMITTEE ON RULES

RECEIVED:

May 13, 2021

10:49 A.M.


Enclosure(s): Bill No. 51-36 (COR) *nka P.L. 36-21*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'lāhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session


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

This is to certify that **Bill No. 51-36 (COR)**, "AN ACT RELATIVE TO THE AUTHORIZATION FOR THE USE OF REAL PROPERTY UNDER THE ADMINISTRATIVE JURISDICTION OF THE GUAM WATERWORKS AUTHORITY FOR THE CONSTRUCTION AND MAINTENANCE OF SOCCER FIELDS AND RELATED FACILITIES," was on the 30th day of April 2021, duly and regularly passed.




Therese M. Terlaje
Speaker

Attested:



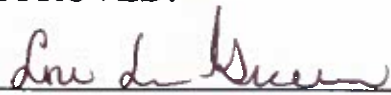
Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30th day of April,
2021, at 7:39 o'clock P.M.



Jessica Cruz
Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 5/12/2021

Public Law No. 36-21

2021-1395
RCVD AT CENTRAL FILES
APR 30 '21 PM 7:55

Jessica Cruz

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 51-36 (COR)

As amended by the Committee on Health,
Land, Justice, and Culture; and further
amended on the Floor.

Introduced by:

Therese M. Terlaje
Telena Cruz Nelson
Sabina Flores Perez
Christopher M. Dueñas
Frank Blas, Jr.
Tina Rose Muña Barnes
V. Anthony Ada
Joanne Brown
James C. Moylan
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje
Mary Camacho Torres

**AN ACT RELATIVE TO THE AUTHORIZATION FOR
THE USE OF REAL PROPERTY UNDER THE
ADMINISTRATIVE JURISDICTION OF THE GUAM
WATERWORKS AUTHORITY FOR THE
CONSTRUCTION AND MAINTENANCE OF SOCCER
FIELDS AND RELATED FACILITIES.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Football (Soccer) Association (GFA) was incorporated in Guam in
4 May 1975 as a nonprofit organization by a group seeking to establish recreational

1 football (soccer) on Guam. GFA's primary purpose is to develop and promote the
2 sport of football (soccer) on Guam, as well as to represent Guam both regionally and
3 internationally in competition.

4 GFA became an associate member of the Asian Football Confederation (AFC)
5 in 1991. In 1996, GFA obtained full membership in the Federation Internationale de
6 Football Association (FIFA), the world-governing body of soccer responsible for
7 promoting and organizing the game throughout the world.

8 GFA, in coordination with FIFA and the private sector, has successfully
9 grown the sport of soccer for youth, as well as adults on Guam, and has contributed
10 to expanding sports facilities across the island, including development of a world
11 class and internationally recognized soccer sports complex.

12 *I Liheslaturan Guåhan* further finds that the Guam Waterworks Authority
13 (GWA) has administrative jurisdiction over Lot No. 3396 in the municipality of
14 *Ordot-Chalan Pago*, Guam, for the purpose of severing out its facility on said lot.
15 The Guam Department of Education (GDOE) also has administrative jurisdiction
16 over the *Ordot-Chalan Pago* Elementary School also located on Lot. No 3396, and
17 the Agueda Johnston Middle School in close vicinity of Lot No. 3396. GWA is in
18 the process of subdividing Lot No. 3396 to parcel out separate lots for GWA and
19 GDOE, and GFA and GDOE wish to enter into a Memorandum of Agreement
20 relating to the use of GDOE's portion of the lot for the construction and maintenance
21 of soccer fields and related facilities.

22 Therefore, it is the intent of *I Liheslaturan Guåhan* to continue to support this
23 public-private partnership by creating a policy that is mutually beneficial to Guam's
24 youth, its educational facilities, and the people of Guam.

25 **Section 2. Authorization for the Use of Real Property under the**
26 **Administrative Jurisdiction of the Guam Waterworks Authority for the**
27 **Construction and Maintenance of Soccer Fields and Related Facilities.**

28 Notwithstanding any other provision of law, the Guam Waterworks Authority

1 (GWA) and the Guam Department of Education (GDOE) are hereby authorized to
2 enter into a Memorandum of Agreement (MOA) with the Guam Football (Soccer)
3 Association (GFA) for the use of real property described as a portion of Lot No.
4 3396, containing an approximate area of 5,213.53± square meters in the municipality
5 of *Ordot-Chalan Pago*, Guam, bounded on the east and south by Lot No. 3416-R2,
6 and the north and west by the *Ordot-Chalan Pago* Elementary School, as marked on
7 DLM Map No. B4-68T343 (the property) for a term not to exceed thirty (30) years.
8 The property shall be utilized for the purpose of the construction, operation, and
9 maintenance of soccer fields and related facilities.

10 (a) GFA shall defend and hold the Government of Guam harmless
11 against any and all claims arising out of the use of the property and shall
12 indemnify and waive any claim it may have arising out of the use of the
13 property, and GFA releases and exculpates the Government of Guam for any
14 liability in connection with the use of the property. Nothing in this Act shall
15 be construed to waive the sovereign immunity of the Government of Guam.

16 (b) GFA shall comply with all Guam and federal laws.

17 (c) Any debt whatsoever incurred by GFA shall not be a debt of the
18 Government of Guam.

19 (d) Any required formal subdivision of the GDOE portion of Lot No.
20 3396 resulting from a GWA subdivision of the same shall be at the expense
21 of GFA.

22 **Section 3. Use of Premises.**

23 (a) GWA and GDOE agree to place the property under the control of GFA,
24 which is authorized to use, improve, or develop the premises or any part thereof for
25 the construction and maintenance of soccer fields and related facilities.

26 (b) GFA shall manage, maintain, and operate the facilities, as well as
27 schedule all events to be conducted within the facilities.

1 (c) GFA may allocate usage of the soccer fields and related facilities to
2 GFA member clubs and authorized soccer organizations and leagues, including
3 GDOE usage and community usage, based on availability and advanced scheduling.
4 Any other utilization must be preapproved by GFA.

5 (d) GFA shall design the facilities to be constructed in accordance with
6 applicable regulations, codes and laws, and prepare plans and specifications for the
7 development of the soccer fields within one (1) year from the execution of the MOA,
8 which shall be paid for by GFA as it determines to do so in its sole discretion. The
9 design shall not result in any adverse effects to GDOE or GWA facilities on or
10 adjacent to Lot 3396.

11 (e) GFA shall obtain all necessary approvals and permits for the
12 construction of soccer fields and related facilities and shall do so at its expense.

13 (f) GFA shall construct the facilities, as it determines to do so in its sole
14 discretion, within three (3) years of receiving approval from its funding source.

15 (g) Subject to the availability of funds, the construction costs of the
16 facilities shall be paid by GFA and any other appropriations provided.

17 (h) GFA shall pay for the applicable permit fees and coordinate with all
18 governmental agencies affected by the project, as required.

19 (i) GFA shall landscape the fields as necessary to meet international
20 standards as determined by the International Football Association Board (IFAB), the
21 Asian Football Confederation (AFC), and other international organizations for the
22 sport of soccer.

23 (j) GFA shall be responsible for regular maintenance of the grounds,
24 including trash and debris removal, mowing the grass, and cutting, trimming, and
25 pruning any shrubbery as necessary to ensure an attractive surrounding.

26 (k) GFA shall, if applicable, repair, paint, and maintain all improvements
27 in an attractive and functional condition.

1 **Section 4. Access to Soccer Facilities by GDOE.** As a condition of the
2 authorization granted to the Guam Football (Soccer) Association, the soccer
3 facilities referenced in Section 2 of this Act shall be available to the Guam
4 Department of Education students in accordance with the Memorandum of
5 Agreement between GFA, GDOE, and GWA governing the use of the property.
6 GFA further agrees:

7 (a) to reserve the Natural Grass Pitch area for exclusive GDOE
8 usage during normal school hours on weekdays at no charge;

9 (b) to provide GDOE with a key(s) to access the Natural Grass Pitch
10 area;

11 (c) to allow GDOE use of the Natural Grass Pitch area for
12 emergency evacuations at no charge;

13 (d) to keep GWA and GDOE informed on all phases of construction,
14 in particular, construction in the area where students enter and exit the Natural
15 Grass Pitch from the school;

16 (e) to allow GDOE use of the Natural Grass Pitch area for
17 interscholastic league practices as negotiated by the parties, to include at a
18 minimum three (3) weekdays per week up to 4:30 p.m. during the school year
19 at no charge, subject to advanced scheduling pursuant to Section 3(c) of this
20 Act. Nothing herein shall prevent GDOE from allowing charter schools usage
21 of the field during the allotted time; and

22 (f) to negotiate with GDOE for a GDOE field usage rate less than
23 the normal rate for home field matches or additional usage subject to advanced
24 scheduling pursuant to Section 3(c) of this Act.

25 **Section 5. License Fee.** GFA shall pay an annual license fee of One Dollar
26 (\$1.00) per year to GDOE to be deposited in the Interscholastic Sports Fund, to be
27 paid annually in advance, commencing on the effective date of the MOA and
28 continuing on the first day of each year thereafter for the remainder of the MOA.

1 **Section 6. Exemption from Appraisals.** § 2107(b) of Chapter 2, Title 2,
2 Guam Code Annotated, and Section 6.04(c)(1) of the Standing Rules of /
3 *Mina'trentai Sais Na Liheslaturan Guåhan* relative to land appraisals, shall not apply
4 to this Act.

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

May 12, 2021

HONORABLE THERESE M. TERLAJE

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

Re: BILL NO. 51-36 (COR) – An Act Relative to the Authorization for the Use of Real Property Under the Administrative Jurisdiction of the Guam Waterworks Authority for the Construction and Maintenance of Soccer Fields and Related Facilities

Buenas yan Hafa Adai Madame Speaker:

Last year, I signed Public Law No. 35-135 which authorized an extension on the leases to the Guam Football Association (“GFA”) on land in Dededo and Agat for the development and maintenance of soccer complexes. Then, as now, I recognize and applaud GFA for its commitment to the advancement of our players and coaches, on the local, national, and international levels. The game of soccer has fostered sportsmanship and teamwork across all ages in our community. As competitive sports have recommenced, we see very well how much joy athletic competition brings to our people. While I look forward to an updated performance audit to ensure that the concerns raised previously with regard to GFA administration are addressed, I also know that a soccer facility in the Ordot-Chalan Pago area will be fantastic service to the people of our central region. Bill No. 51-36 is now **Public Law No. 36-21**.

Senseremente,

A handwritten signature in black ink, appearing to read "Lourdes A. Leon Guerrero".

LOURDES A. LEON GUERRERO

Maga'hāgan Guåhan

Governor of Guam

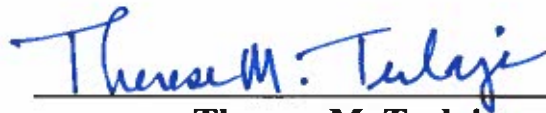
Enclosure(s): Bill No. 51-36 (COR) *nka P.L. 36-21*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session


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

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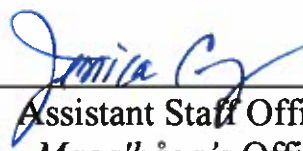
Therese M. Terlaje
Speaker

Attested:



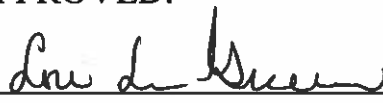
Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30th day of April,
2021, at 7:39 o'clock P.M.



Jessica Cruz
Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 5/12/2021

Public Law No. 36-21

2021-1395
RCUD AT CENTRAL FILES
APR 30 '21 PM7:55

Jessica Cruz

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 51-36 (COR)

As amended by the Committee on Health,
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Therese M. Terlaje
Telena Cruz Nelson
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