



FILE COPY

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
THIRTY-THIRD GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

December 30, 2016

The Honorable Edward J.B. Calvo
I Maga'låhen Guåhan
Ufisinan I Maga'låhi
Hagåtña, Guam

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 162-33 (COR), 200-33 (COR), 299-33 (COR), 312-33 (COR), 330-33 (COR), 332-33 (COR), 336-33 (LS), 337-33 (LS), 350-33 (COR), 356-33 (COR), 357-33 (COR), 358-33 (COR), 379-33 (COR), 380-33 (COR), 385-33 (COR), 389-33 (COR), 391-33 (COR), 392-33 (COR), 397-33 (COR), 398-33 (COR), 399-33 (COR), 402-33 (COR), 403-33 (LS), 404-33 (LS), 406-33 (COR), 407-33 (COR), 409-33 (COR) and 411 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on December 30, 2016.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

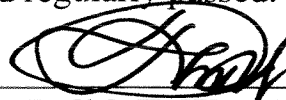
Enclosure (28)

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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

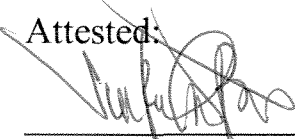
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Substitute Bill No. 385-33 (COR)**, "AN ACT TO *ADD A NEW ARTICLE 7 TO CHAPTER 77 OF DIVISION 2, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM MULTI-PURPOSE COMMUNITY STADIUM COMPLEX COMMISSION,*" was on the 30th day of December 2016, 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'låhen Guåhan* this 30^m day of DEC,
2016, at 9:50 o'clock P.M.



Patrice G. Cooper #374
Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: _____

Public Law No. _____

**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session**

Bill No. 385-33 (COR)

As substituted by the Committee on Health,
Economic Development, Homeland Security,
and Senior Citizens; and amended on the Floor.

Introduced by:

Mary Camacho Torres

T. C. Ada

V. Anthony Ada

FRANK B. AGUON, JR.

Frank F. Blas, Jr.

B. J.F. Cruz

James V. Espaldon

Brant T. McCreddie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Dennis G. Rodriguez, Jr.

Michael F.Q. San Nicolas

N. B. Underwood, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW ARTICLE 7 TO CHAPTER 77
OF DIVISION 2, TITLE 12, GUAM CODE ANNOTATED,
RELATIVE TO ESTABLISHING THE GUAM MULTI-
PURPOSE COMMUNITY STADIUM COMPLEX
COMMISSION.**

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

2 **Section 1.** A new Article 7 is hereby *added* to Chapter 77 of Division 2,
3 Title 12, Guam Code Annotated, to read:

4 "ARTICLE 7

1 **GUAM MULTI-PURPOSE COMMUNITY STADIUM**
2 **COMPLEX COMMISSION**

3 § 77701. Legislative Statement.

4 § 77702. Creation and Membership.

5 § 77703. Compensation of Commission Members.

6 § 77704. Administrative Support for the Commission.

7 § 77705. Adoption of Rules.

8 § 77706. Meetings.

9 § 77707. General Powers and Responsibilities of the Commission.

10 § 77708. Development of the Guam Multi-Purpose Community
11 Stadium Complex Plan.

12 § 77709. Reporting.

13 § 77710. Authorization for the Deappropriation of the Office of
14 Senator Mary Torres' FY 2016 Lapsed Funds for Reappropriation.

15 **§ 77701. Legislative Statement.** *I Liheslaturan Guåhan* finds that
16 the island of Guam is in need of a Multi-Purpose Community Stadium
17 Complex. The purpose of such a facility is to build the island's capacity to
18 draw tourists, as well as to provide adequate and appropriate permanent space
19 for large scale community events. It is expected that events marketed to
20 tourists and the community will overlap and complement each other.

21 This Multi-Purpose Community Stadium Complex would ideally be a
22 permanent structure with indoor and outdoor space sufficient to provide for
23 international and local sporting events; music and recreational events; fairs
24 and community gatherings; and conferences and other events. It is necessary
25 to appoint a Commission to spearhead an investigation and report findings,

1 constraints, limitations, and recommendations on the development of such a
2 facility. This Commission must have the mandate to inquire into issues,
3 including, but not limited to, the venue parameters required to support long-
4 term community and tourism goals, financing options, location, and the long-
5 term operations and maintenance cost of such a facility.

6 It is, therefore, the intent of *I Liheslaturan Guåhan* to create this
7 Commission with the intent to use its findings and recommendations in the
8 eventual development and construction of a facility that will increase
9 economic activity and the quality of life of the people of Guam.

10 **§ 77702. Creation and Membership.** The Multi-Purpose
11 Community Stadium Complex Commission (Commission) is hereby created,
12 and *shall* consist of seven (7) members appointed by *I Maga'låhi*, and who
13 are subject to confirmation by *I Liheslaturan Guåhan*.

14 (a) Commission members *shall* serve for a term of eighteen (18)
15 months.

16 (b) The following seven (7) individuals *shall* serve as appointed
17 members of the Commission:

18 (1) two (2) members with a background in finance;

19 (2) one (1) member of the general public;

20 (3) one (1) member with a background in sports;

21 (4) one (1) member with an architecture and design
22 background;

23 (5) one (1) member with a civil engineering or structural
24 engineering background; and

1 (6) one (1) member with a background in the visitor/tourism
2 industry.

3 (c) The following five (5) individuals, or their designees, *shall* serve
4 as ex-officio members of the Commission:

5 (1) the Director of the Department of Revenue and Taxation;

6 (2) the Director of the Department of Parks and Recreation;

7 (3) the General Manager of the Guam Visitors Bureau;

8 (4) the Legislative Chairperson of the tourism committee or
9 his or her designee, who is himself or herself also a member of *I*
10 *Liheslaturan Guåhan*; and

11 (5) the Administrator of the Guam Economic Development
12 Authority (GEDA).

13 (d) If the position of a member is vacated, *I Maga'låhi shall* appoint
14 a qualified person to replace the member for the remainder of the unexpired
15 term.

16 (e) Five (5) appointed members of the Commission *shall* constitute
17 a quorum for the exercise of the authority conferred upon the Commission,
18 and a concurrence of at least five (5) of the appointed members is necessary
19 to render a choice or a decision by the Commission. The attendance of ex-
20 officio members *shall not* be used to determine whether a quorum is present.

21 (f) A Chairperson *shall* be elected from among the appointed
22 members and *shall* serve in such capacity for a term of eighteen (18) months.

23 **§ 77703. Compensation of Commission Members.**

24 (a) Appointed members of the Commission, if authorized by the
25 Chairman, are entitled to receive a stipend of *not more than* Fifty Dollars

1 (\$50.00) for each meeting of the Commission, which *shall not* extend to ex-
2 officio members.

3 (b) While engaged in the business of the Commission, each member
4 of the Commission, upon the authorization of the Chairman, is entitled to
5 receive the per diem allowance and travel expenses provided by the
6 Government Travel Law in Chapter 23 of Title 5, Guam Code Annotated.

7 **§ 77704. Administrative Support for the Commission.**

8 (a) The Commission *shall* be established within GEDA for
9 administrative purposes. The Administrator of GEDA *shall* ensure that the
10 administrative provisions contained in this Article are properly adhered to;
11 and *shall* further ensure that GEDA provides all the necessary administrative
12 and clerical support and anything else deemed necessary for the efficient
13 operation of the Commission.

14 (b) The Chairperson of the Commission, in cooperation with the
15 GEDA Administrator, may request for budgetary support from *I Liheslaturan*
16 *Guåhan* in the GEDA annual budget submission, which *shall* be so identified.

17 (c) Nothing shall require that GEDA funds be utilized to cover any
18 costs that are the direct result of the Commission carrying out its defined
19 duties and responsibilities pursuant to this Article.

20 **§ 77705. Adoption of Rules.** The Commission may adopt rules as
21 necessary for its own procedures in accordance with the Administrative
22 Adjudication Law.

23 **§ 77706. Meetings.** The Commission *shall* meet as often as it
24 deems appropriate and necessary to accomplish its powers and duties.

1 (a) The first meeting of the Commission *shall* be held *no later than*
2 thirty (30) days after *at least* five (5) appointed members of the Commission
3 have been duly confirmed by *I Liheslaturan Guåhan*.

4 (b) The Commission *shall* meet *no less than* once in each quarter of
5 the calendar year.

6 (c) The Commission may meet at other times at the call of the
7 Chairperson, or as provided by the rules of the Commission.

8 (d) All meetings of the Commission *shall* be subject to the Open
9 Government Law found in Chapter 8 of Title 5, Guam Code Annotated.

10 **§ 77707. General Powers and Responsibilities of the**
11 **Commission.** The Commission *shall*:

12 (a) oversee the development of plans relating to a Multi-Purpose
13 Community Stadium Complex;

14 (b) identify the preferable locations for the facility;

15 (c) identify possible funding sources for the facility;

16 (d) work with all pertinent stakeholders necessary to the creation of
17 this plan;

18 (e) obtain a feasibility study with regards to the building,
19 maintenance, and economic impact of a Multi-Purpose Community Stadium
20 Complex;

21 (f) be authorized, at its discretion and subject to availability of
22 funds, to issue Requests for Proposals and Requests for Information via the
23 Government Procurement Law, as necessary to complete the plan; and

24 (g) meet all the reporting requirements as outlined in this Article.

1 **§ 77708. Development of the Guam Multi-Purpose Community**
2 **Stadium Complex Plan.** The Commission *shall* develop a Guam Multi-
3 Purpose Community Stadium Complex Plan, addressing, but not limited to,
4 the plan, design, location, cost, and long-term maintenance funding plan for a
5 Multi-Purpose Community Stadium Complex; and, conduct an overall
6 feasibility study regarding the building, maintenance, and short and long-term
7 economic impacts of a Multi-Purpose Community Stadium Complex.

8 **§ 77709. Reporting.**

9 (a) The Commission *shall* file quarterly reports with *I Liheslaturan*
10 *Guåhan* detailing the progress of the development of the plan.

11 (b) The Commission *shall* file a complete and detailed written report
12 quarterly with *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
13 *Guåhan*, in the form and within the time provided by the General
14 Appropriations Act, accounting for all funds received and disbursed by the
15 Commission during the preceding fiscal year.

16 (c) No later than eighteen (18) months after its first duly convened
17 meeting, the Commission *shall* prepare and file with *I Liheslaturan Guåhan*
18 its final "Guam Multi-Purpose Community Stadium Complex Plan" mandated
19 in this Article to study, investigate, and develop a multi-purpose facility
20 complex on Guam. The final deliverable report *shall* include a conceptual
21 drawing and model(s), recommended funding sources, and maintenance plans.

22 **§ 77710. Authorization for the Deappropriation of the Office of**
23 **Senator Mary Torres' FY 2016 Lapsed Funds for Reappropriation.**

24 (a) The FY 2016 lapsed funds of the Office of Senator Mary Torres
25 of *I Liheslaturan Guåhan* in an amount *not to exceed* Seventy-five Thousand

1 Dollars (\$75,000) are hereby deappropriated and reappropriated to the Guam
2 Economic Development Authority (GEDA) to fund the Multi-Purpose
3 Community Stadium Complex Commission to carry out its powers and
4 responsibilities as authorized in § 77707 of this Article.

5 (b) Funds deappropriated and reappropriated pursuant to this Section
6 *shall* be allocated to GEDA within ninety (90) days of the enactment of this
7 Article.

8 (c) No portion of the appropriations in this Section shall be used for
9 any purpose other than that specifically authorized in §§ 77703 and 77707 of
10 this Article.”

11 **Section 2. Severability.** If any provision of this Act or its application
12 to any person or circumstance is found to be invalid or contrary to law, such
13 invalidity *shall not* affect other provisions or applications of this Act that can
14 be given effect without the invalid provisions or application, and to this end
15 the provisions of this Act are severable.