

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

385-33 (COR)
Bill No. __-33 (COR)

Introduced by:

Mary C. Torres *MCT*

**AN ACT TO ADD A NEW ARTICLE 7, § 77701-77710, TO
DIVISION 2 OF CHAPTER 77, TITLE 12, GUAM CODE
ANNOTATED, RELATIVE TO ESTABLISHING THE
GUAM MULTI-PURPOSE COMMUNITY STADIUM
COMPLEX COMMISSION.**

2016 OCT 12 PM 3:41

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Article 7, § 77701-77710, is hereby *added* to Chapter 77,
Title 21, Guam Code Annotated, to read:

“Article 7

GUAM MULTI-PURPOSE COMMUNITY STADIUM COMPLEX
COMMISSION

§77701. Legislative Statement.

§77702. Creation and Membership

§77703. Compensation of Commission Members

§77704. Administrative Support for the Commission.

§77705. Adoption of Rules

§77706. Meetings

§77707. General Powers and Responsibilities of the Commission

1 §77708. Development of the Guam Multi-Purpose Community Stadium
2 Complex Plan

3 §77709. Reporting

4 §77710. Authorization for the De-appropriation of the Office of Senator Mary
5 Torre's FY2016 Lapsed Funds for Re-Appropriation.

6 §77701. Legislative Statement. *I Liheslaturan Guåhan* finds that the island
7 of Guam is in need of a Multi-Purpose Community Stadium Complex. The purpose
8 of such a facility is to build the the island's capacity to draw tourism, as well as,
9 providing adequate and appropriate permanent space for large scale community
10 events. It is expected that events marketed to tourism and community will overlap
11 and complement each other.

12 This Community Stadium Complex would ideally be a permanent structure
13 with indoor/outdoor space sufficient to provide for international and local sporting
14 events; music and recreational events; fairs and community gatherings; and
15 conferences and other events. It is necessary to appoint a Commission to spearhead
16 an investigation and report findings, constraints, limitations, and recommendations
17 on the development of such a facility. This Commission must have the mandate to
18 inquire into issues including, but not limited to, venue parameters required to support
19 long term community and tourism goals, financing options, location, and long term
20 operations and maintenance cost of such a facility.

21 It is therefore the intent of *I Liheslaturan Guåhan* to create this Commission
22 with the intent to use findings and recommendations in the eventual development
23 and construction of a facility that will increase economic activity and the quality of
24 life of the people of Guam.

25 §77702. Creation and Membership. The Multi-Purpose Community
26 Stadium Complex Commission is hereby created and shall consist of of seven (7)

1 members appointed by I Maga'lahi and who are subject to confirmation by I
2 Liheslaturan Guåhan.

3 (a) Commission members shall serve for a term of eighteen (18) months.

4 (b) The following seven (7) individuals shall serve as Appointed Members of
5 the Commission:

6 (i) Two (2) members with a background in finance; one (1) member
7 of the general public;

8 (ii) One (1) member with a background in sports;

9 (iii) One (1) member with an architecture and design background;

10 (iv) One (1) member with a civil engineering or structural
11 engineering background; and

12 (v) One (1) member with a background in the visitor/tourism
13 industry.

14 (c) The following five (5) individuals, or their designees, shall serve as Ex-
15 Officio Members to the Commission:

16 (i) The Director of the Department of Revenue and Taxation;

17 (ii) The Director of the Department of Parks and Recreation;

18 (iii) The President of the Guam Visitors Bureau;

19 (iv) The Legislative Chairman for Tourism; and

20 (v) The Administrator of the Guam Economic Development
21 Authority shall serve as Ex-Officio Members.

22 (d) If the position of a member is vacated, I Maga'lahi shall appoint a
23 qualified person to replace the member for the remainder of the unexpired term.

24 (e) Five (5) Appointed Members of the Commission shall constitute a quorum
25 for the exercise of the authority conferred upon the Commission, and a concurrence
26 of at least five (5) of the Appointed Members is necessary to render a choice or a

1 decision by the Commission. Ex-Officie Members presence *shall* not be used to
2 determine whether a quorum is present.

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

5 **§77703. Compensation of Commission Members.**

6 (a) Appointed Members of the Commission, if authorized by the Chairman,
7 are entitled to receive a stipend of not more than Fifty Dollars (\$50) for each meeting
8 of the Commission. This does not extend to Ex-Officio Members.

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

13 **§77704. Administrative Support for the Commission.**

14 (a) The Commission shall be established within the GEDA for administrative
15 purposes. The Administrator, GEDA shall ensure that the administrative provisions
16 contained in this chapter are properly adhered to, and will further ensure that GEDA
17 provides all necessary administrative and clerical support, and other things deemed
18 necessary for the efficient operation of the Commission.

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

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

25 **§77705. Adoption of Rules.** The Commission may adopt rules as necessary
26 for its own procedures.

1 **§77706. Meetings.** The Commission *shall* meet as it deems appropriate and
2 necessary to accomplish its powers and duties.

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

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

8 (c) The Commission may meet at other times at the call of the Chairman or as
9 provided by the rules of the Commission.

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

12 **§77707. General Powers and Responsibilities of the Commission.** The
13 Commission *shall*:

14 (a) Oversee the development of plans relating to a Multi-Purpose Community
15 Stadium Complex;

16 (b) Identify the preferable locations for the facility;

17 (c) Identify possible funding sources for the facility;

18 (d) Work with all pertinent stakeholders necessary to the creation of this plan;

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

21 (f) Issue Request for Proposals and Requests for Information, via the
22 Government Procurement Law, as necessary to complete the plan.

23 (g) Meet all reporting requirements as outlined in this Article.

24 **§77708. Development of the Guam Multi-Purpose Community Stadium**
25 **Complex Plan.** The Commission *shall* develop a Guam Multi-Purpose Community
26 Stadium Complex Plan, addressing, but not limited to, the plan, design, location,

1 cost and long-term maintenance funding plan for a Multi-Purpose Community Stadium
2 Complex and an overall feasibility study regarding the building, maintenance and short
3 and long-term economic impacts of a Community Stadium Complex.

4 **§77709. Reporting.**

5 (a) The Commission shall file quarterly reports to *I Liheslaturan Guåhan*
6 detailing the progress of the development of the plan.

7 (b) The Commission shall file a complete and detailed written report quarterly
8 with *I Maga'lahaen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in the form
9 and within the time provided by the General Appropriations Act, accounting for all
10 funds received and disbursed by the Commission during the preceding fiscal year;

11 (c) No later eighteen (18) months after its first duly convened meeting, the
12 Commission shall prepare and file with *I Liheslaturan Guåhan*, its final 'Guam
13 Multi-Purpose Community Stadium Complex Plan' mandated in this Chapter to
14 study, investigate and develop a multi-purpose facility complex on island. The final
15 deliverable report shall include: conceptual drawing and model(s), recommended
16 funding sources and maintenance plans.

17 **§77710. Authorization for the De-appropriation of the Office of**
18 **Senator Mary Torre's FY2016 Lapsed Funds for Re-Appropriation.**

19 (a) Senator Mary Torres of *I Liheslaturan Guåhan* in a sum not to exceed
20 seventy-five thousand dollars (\$75,000) to the Guam Economic Development
21 Authority (GEDA) to fund the Multi-Purpose Community Stadium Complex
22 Commission Commission to carry out its poweres and responsibilities as authorized
23 in Sections 77703 and 77707 of this Article.

24 (b) Funds de-appropriated and re-appropriated pursuant to this Section shall
25 be allocated to GEDA within ninety (90) days of the enactment of this Article.

1 (c) No portion of the appropriations in this Section shall be used for any
2 purpose other than that specifically authorized in Sections 77703 and 77707.

3
4 **Section 2. Severability.** If any provision of this Act or its application to any
5 person or circumstance is found to be invalid or contrary to law, such invalidity shall
6 not affect other provisions or applications of this Act that can be given effect without
7 the invalid provisions or application, and to this end the provisions of this Act are
8 severable.