EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

FEB 13 2018

GL 34-18-1523
Speaker Benjamin J.F. Cruz

FEB 13 2018
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Received By: Elena

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 167-34 (LS), **"AN ACT TO *ADD* A NEW ARTICLE 5 TO CHAPTER 9, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO DIRECTING THE GUAM VISITORS BUREAU TO DEVELOP AND PUBLISH A REQUEST FOR INFORMATION RELATIVE TO DEVELOPING A CRUISE SHIP INDUSTRY ON GUAM,"** which was signed on February 9, 2018, as **Public Law 34-75.**

Senseramente,

EDDIE BAZA CALVO

2018 FEB 13 PM 3:48

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. 167-34 (LS), "AN ACT TO *ADD* A NEW ARTICLE 5 TO CHAPTER 9, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO DIRECTING THE GUAM VISITORS BUREAU TO DEVELOP AND PUBLISH A REQUEST FOR INFORMATION RELATIVE TO DEVELOPING A CRUISE SHIP INDUSTRY ON GUAM,"** was on the 26th day of January 2018, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 29 day of JAN, 2018, at 1:45 o'clock P.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: FEB 0 9 2018

Public Law No. 34-75

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 167-34 (LS)

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

AN ACT TO *ADD* A NEW ARTICLE 5 TO CHAPTER 9, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO DIRECTING THE GUAM VISITORS BUREAU TO DEVELOP AND PUBLISH A REQUEST FOR INFORMATION RELATIVE TO DEVELOPING A CRUISE SHIP INDUSTRY ON GUAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that there has been an interest in developing a cruise ship industry on Guam for many years. The Association of Pacific Island Legislatures (APIL) recommended that the Micronesian governments look into the industry with the adoption of several

resolutions over the years, and a Micronesian Cruise Association (MCA) was formed in 2011 to investigate Micronesian cruises as a local industry. The cruise ship(s) would traverse throughout Micronesia, be homeported on Guam, and make various port stops, including, the Commonwealth of the Northern Mariana Islands, Palau, the Marshall Islands, and various islands of the Federated States of Micronesia, as local infrastructure and interest allow. This cruise industry would be integrated into the already existing visitor industry, overlapping with the accommodations, attractions, and shopping offerings already in place, and for which ample marketing collateral is already available.

Recently, Guam Visitors Bureau has engaged the services of the Pacific Asia Travel Association (PATA) in looking into developing a cruise industry homeported on Guam. PATA obtained a report from their consultants relative to the subject of Micronesia Cruise Development. This report highlights a number of strengths and weaknesses on Guam and in various proposed Micronesian destinations relative to the cruise industry. In order to follow up on these initial findings, it is desirable for GVB to look further into the specific development of a cruise industry on Guam, how to interact with partners throughout Micronesia, and how to put into play the proof of concept strategy outlined in the PATA Task Force Report recommendations.

Section 2. A new Article 5 is *added* to Chapter 9 of Title 12, Guam Code Annotated, to read:

"ARTICLE 5

GUAM VISITORS BUREAU REQUEST FOR INFORMATION; DEVELOPMENT OF A CRUISE SHIP INDUSTRY ON GUAM

§ 9501. (a) Request for Information. The Guam Visitors Bureau (GVB) *shall* develop and publish a Request for Information (RFI) for the purpose of soliciting and determining public interest and the desired direction that public

policymakers may take relative to the development, management and operation of a cruise ship industry on Guam. The information to be solicited *shall* include, at a minimum, but *shall not* be limited to:

(1) what is needed for Guam to develop, manage, and operate a cruise ship industry homeported at the Jose D. Leon Guerrero Port of Guam;

(2) what is needed for local cruise tourism support, including communications infrastructure, ground travel, cultural experiences, sports and nature experiences, site visits, entertainment, retail facilities, dining facilities, comfort facilities, and any other experience support needed for cruise passengers that dock on Guam;

(3) what is needed to engage a public/private collaboration in the renovations needed at the Jose D. Leon Guerrero Port of Guam in an area suitable for a cruise ship industry;

(4) what is needed to develop communication, collaboration, and organization between island governments, educational and cultural institutions, and private business and non-profit entities throughout Micronesia to collaborate on a Micronesia-wide cruise ship enterprise;

(5) information relative to needed funding and available funding from any resource, government and private, for the development of a cruise ship industry, and any of the related experiences passengers would have on Guam and throughout Micronesia;

(6) what is needed for success-monitoring of a Micronesia-wide cruise industry as it pertains to Guam;

(7) what is needed for training, marketing, safety and security, enhanced transportation, and tourism asset development within Guam to include a cruise ship industry within the current visitor industry; and

(8) what is needed to solicit interest from cruise ship lines with appropriate vessels for visiting throughout Micronesia to offer their services on a Micronesia cruise adventure.

The publication of the RFI *shall* expressly state that it is being issued solely for the purpose of soliciting public information for planning purposes, does not constitute a Request for Proposal (RFP), and does not commit the government to contract for any supply or service.

Respondents *shall* be advised that the government of Guam and/or GVB will not pay for any information received or administrative costs incurred in responding to this RFI. All costs experienced or associated with responding to this RFI will be incurred solely at the responding party's expense. Not responding to this RFI does not preclude participation in any future RFP, should there be one issued. All submissions to this RFI *shall* become the property of the government of Guam, subject to public review, and will not be returned. Any issues relating to intellectual property and copyright must be clarified by the respondent and clearly marked.

(b) Delivery Period/Dissemination. GVB *shall* publicly disseminate the RFI in a manner to solicit the broadest number of qualified interested respondents. Registries, direct mailings, and other methods, at a minimum, *shall* be utilized to maximize the potential number of responses to the RFI.

GVB *shall* adhere to the following schedule:

(1) within sixty (60) days from enactment of this legislation, develop and publish the Request for Information (RFI);

(2) provide for a fifteen (15) day question period, Saturday, Sunday, and government holidays excepted, commencing from the date of publication, for requested clarification(s) on the RFI from interested parties/potential respondents;

(3) provide for a thirty (30) day period, Saturday, Sunday, and government holidays excepted, after the close of the question period for submission to the RFI by respondents;

(4) compilation by GVB of all respondents and analysis ascertaining the strength and weakness of each RFI submission by respondents;

(5) transmittal of the RFI compilation/analysis from GVB to *I Maga'låhen Guåhan* and *I Liheslaturan Guåhan* no more than thirty (30) days after the receipt of information to the RFI; and

(6) a GVB board resolution indicating the Bureau's clear strategic plans and policy recommendations to either move forward or to suspend any further efforts in developing a cruise ship industry on Guam."

Section 3. 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 provisions or application, and to this end the provisions of this Act are severable.

Section 4. Effective Date. This Act *shall* become effective upon enactment.