






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

Bill No. 16734 (LS)

Introduced by:

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**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 GUAM
AS A HOMEPORT CRUISE SHIP INDUSTRY.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. *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 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 home-ported on Guam, and make various port stops in the Commonwealth of the Northern Mariana Islands, Palau, The Republic of the Marshal Islands, and various states 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 are already available.

Recently, Guam Visitors Bureau has engaged the services of the Pacific Asia Travel Association (PATA) in looking into developing a cruise industry home-ported on Guam. PATA obtained a report from their consultants relative to the subject Micronesia Cruise Development. This report highlights a number of strengths and

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1 weaknesses on Guam and in various Micronesian proposed destinations relative to
2 the cruise industry. In order to follow up on these initial findings, it is desirable for
3 GVB to look further into the specific development of a cruise industry on Guam, how
4 to interact with partners throughout Micronesia, and how to put into play the proof of
5 concept strategy outlined in the PATA Task Force Report recommendations.

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

8 “Article 5

9 GUAM VISITORS BUREAU REQUEST FOR INFORMATION;
10 DEVELOPMENT OF GUAM AND MICRONESIA CRUISE SHIP INDUSTRY
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12 § 9501. (a) Request for Information. The Guam Visitors Bureau (GVB)
13 *shall* develop and publish a Request for Information (RFI) for the purpose of
14 soliciting and determining public interest and the desired direction that public
15 policymakers may take relative to the development, management and operation of the
16 cruise ship industry on Guam. The information to be solicited *shall* include, at a
17 minimum, but *shall not* be limited to:

- 18 (1) what is needed for Guam to develop, manage and operate a cruise ship
19 industry home ported at the Jose D. Leon Guerrero Port of Guam;
- 20 (2) what is needed for local cruise tourism support including
21 communications infrastructure, ground travel, cultural experiences, sports and nature
22 experiences, site visits, entertainment, retail facilities, dining facilities, comfort
23 facilities and any other experience support needed for cruise passengers that dock on
24 Guam;
- 25 (3) what is needed to engage a public/private collaboration in the
26 renovations needed at the Jose D. Leon Guerrero Port of Guam in an area suitable for
27 a cruise ship industry;
- 28 (4) what is needed to develop communication, collaboration, and
29 organization between island governments, educational and cultural institutions, and
30 private business and non-profit entities throughout Micronesia to collaborate on a
31 Micronesia-wide cruise ship enterprise;

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

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

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

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

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

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

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

30 GVB *shall* adhere to the following schedule:

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

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

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

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

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

14 (6) GVB Board resolution indicating the bureau's clear strategic plans and
15 policy recommendations to either move forward or to suspend any further efforts in
16 developing the cruise industry on Guam.

17 **Section 3. Severability.** If any provision of this Act or its application to any
18 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
19 *not* affect other provisions or applications of this Act that can be given effect without
20 the invalid provisions or application, and to this end the provisions of this Act are
21 severable.

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