

# I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

## 2021 (FIRST) Regular Session

### VOTING RECORD

<b>Bill No. 2-36 (LS)</b> As amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building April 30, 2021					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	√					
Senator Frank Blas Jr.	√					
Senator Joanne Brown	√					
Senator Christopher M. Dueñas	√					
Senator James C. Moylan	√					
Vice Speaker Tina Rose Muña Barnes	√					
Senator Telen Cruz Nelson	√					
Senator Sabina Flores Perez	√					
Senator Clynton E. Ridgell	√					
Senator Joe S. San Agustin	√					
Senator Amanda L. Shelton	√					
Senator Telo T. Taitague	√					
Senator Jose "Pedro" Terlaje	√					
Speaker Therese M. Terlaje	√					
Senator Mary Camacho Torres	√					

**TOTAL**

**15**

**0**

Aye

Nay

Not  
Voting/  
Abstained

Out  
During  
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO  
Clerk of the Legislature

I = Pass

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

**Bill No. 2-36 (LS)**

As amended on the Floor.

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Introduced by:

Tina Rose Muña Barnes

Jose “Pedo” Terlaje

V. Anthony Ada

Telena Cruz Nelson

Mary Camacho Torres

**AN ACT TO *ADD* A NEW ARTICLE 5 TO CHAPTER 50  
OF DIVISION 2, TITLE 12, GUAM CODE ANNOTATED,  
RELATIVE TO DEVELOPING A PLAN TO IMPLEMENT  
A TRANSSHIPMENT INDUSTRY THROUGH THE  
CREATION OF A TRANSSHIPMENT TASK FORCE.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that on October 16, 2020, the Office of the Speaker, in collaboration with members  
4 of the 35th Guam Legislature, issued a letter to the Office of Intergovernmental  
5 Affairs and the U.S. Department of Interior, Office of Insular Affairs to express their  
6 concern about the recent disruption to America’s supply chain caused by the  
7 COVID-19 pandemic. In December 2020, the Guam Chamber of Commerce  
8 developed a white paper report entitled, *Proposed Economic Diversification*  
9 *Initiatives for Guam*. The report identified potential industries that would allow  
10 Guam to expand its current economic model, along with a list of implementation  
11 recommendations and potential benefits. On December 29, 2020, the Office of the  
12 Governor announced the creation of the Economic Diversification Working Group

1 to establish new industries to rebound from the adverse effects of the COVID-19  
2 pandemic. Although not mentioned in the white paper, Guam is geographically and  
3 politically well-positioned to be a transshipment hub for the United States and the  
4 region.

5 As noted in a report issued by the U.S. Department of Homeland Security on  
6 May 29, 2020, entitled, *National Strategy for Transportation Security* (NSTS),  
7 Maritime Transportation Systems (MTS) is the “economic lifeblood of the global  
8 economy” and is a vital component to U.S. military logistics and operations. The  
9 MTS is an integrated network consisting of twenty-five thousand (25,000) miles of  
10 coastal and inland waters and rivers that serves up to three hundred sixty-one (361)  
11 ports. Moreover, the report indicated that “Any significant disruption to the MTS”  
12 can have devastating implications for “the global supply chain, as well as America’s  
13 National Security.” Thus, maritime elements of the global supply chain are  
14 considered by Homeland Security to be “critical assets and systems that must be  
15 protected.”

16 As America’s “tip of the spear” in the Pacific, Guam’s location allows the  
17 United States to secure our nation, protect our allies, and easily access the  
18 manufacturing hubs in the Asia-Pacific supply chain; however, *I Liheslaturan*  
19 *Guåhan* finds that the global COVID-19 pandemic threatens the existing supply  
20 chains that sustain the United States security apparatus. As noted in the United  
21 Nations Economic and Social Commission for Asia and the Pacific (ESCAP) report  
22 published on September 30, 2020, on *The Impact of the Covid-19 Pandemic on*  
23 *Shipping and Port Sector in the Asia and the Pacific*, supply-chain access across  
24 Asia has become “compromised” due to limited manufacturing, port congestion, port  
25 closures, lack of adequate medical production and inventory, as well as having single  
26 source supply-chains during the pandemic. The report further stated that

1 manufacturing firms might withdraw from Asia to regions that promote “re-shoring”  
2 in response to the global pandemic.

3 *I Liheslaturan Guåhan* finds that Guam can take a more active role in the  
4 current Maritime Transportation System framework by serving as a viable and  
5 secure port for goods to flow from manufacturing hubs in the Indo-Pacific region  
6 and into the United States. Furthermore, unlike most seaports in Asia, the Jose D.  
7 Leon Guerrero Commercial Port has an opportunity to be further developed during  
8 this changing environment. With the passage of Bill No. 360-35 (COR), now Public  
9 Law 35-105, the Guam Legislature has enabled the Guam Customs and Quarantine  
10 Agency to streamline its procedures through automation and update its manifest  
11 requirements that date back to the 1970s. According to the ESCAP report, measures  
12 such as these improve operational and cost efficiencies during the pandemic while  
13 digitalization and automation ensure that maritime transportation remains  
14 uninterrupted.

15 Moreover, in addition to providing uninterrupted maritime transportation,  
16 Guam has the unique capacity to take in more shipments than other ports in the  
17 Pacific. As stated in the *2007 Guam Business Opportunities Report*, Guam is home  
18 to the largest U.S. deep-water port in the western Pacific. This same report also  
19 adequately demonstrates that the Port Authority of Guam has the capacity to move  
20 containerized, break-bulk, and fresh fish cargo. Additionally, Guam’s Commercial  
21 Port has convenient access to the Antonio B. Won Pat International Airport. With  
22 the expansion of the airport’s runway in 2016, long-haul fully-loaded flights can fly  
23 from Guam directly to cities in the mainland United States as far as Los Angeles,  
24 California. This will allow major airlines of the United States to adapt to a post-  
25 COVID-19 economy and get goods into American communities at a much faster  
26 rate.



1 (a) the Administrator of the Guam Economic Development  
2 Authority or his/her designee;

3 (b) the General Manager of the J.D. Leon Guerrero Port Authority  
4 of Guam or his/her designee;

5 (c) the Executive Manager of the A.B. Won Pat International Airport  
6 Authority, Guam or his/her designee;

7 (d) the Director of the Guam Customs and Quarantine Agency or  
8 his/her designee;

9 (e) the Director of the Department of Land Management or his/her  
10 designee;

11 (f) *I Maga'låhen/Maga'hågan Guåhan* or his/her designee;

12 (g) the Speaker of *I Liheslaturan Guahan* or his/her designee;

13 (h) the President of the Guam Chamber of Commerce or his/her  
14 designee, who shall serve as an ex-officio non-voting member;

15 (i) the President of the Guam Women's Chamber of Commerce or  
16 her designee, who shall serve as an ex-officio non-voting member;

17 (j) the President of the Chinese Chamber of Commerce of Guam or  
18 his/her designee, who shall serve as an ex-officio non-voting member;

19 (k) the President of the Filipino Community of Guam or his/her  
20 designee, who shall serve as an ex-officio non-voting member;

21 (l) the President of the Korean Chamber of Commerce of Guam or  
22 his/her designee, who shall serve as an ex-officio non-voting member;

23 (m) the President of the Guam Contractors Association or his/her  
24 designee, who shall serve as an ex-officio non-voting member;

25 (n) the Director of the Bureau of Statistics and Plans or his/her  
26 designee;

1 (o) the President of the University of Guam or his/her  
2 designee; and

3 (p) the Director of the Department of Agriculture or his/her  
4 designee.

5 A presiding officer from among the Transshipment Task Force members shall  
6 be elected by the members of the Task Force. The members of the Transshipment  
7 Task Force shall serve without compensation and shall meet at least once every  
8 month.

9 **§ 50503. Responsibilities and Duties.**

10 The Transshipment Task Force shall meet at the call of the presiding officer  
11 and make recommendations concerning transshipment on Guam.

12 In making recommendations, the Transshipment Task Force shall:

13 (a) contact regional shipping partners, manufacturers, the U.S.  
14 Department of Homeland Security, the U.S. Customs and Border Protection,  
15 and any agencies within the United States government pertinent to  
16 transshipment;

17 (b) conduct a feasibility study and provide recommendations  
18 involving local tax policy, workforce development, and incentive programs  
19 promoting transshipment on Guam;

20 (c) receive reports and testimony from individuals, government of  
21 Guam agencies, and any other public and private organizations; and

22 (d) submit an Economic Diversification Plan with its  
23 recommendations to *I Maga'hågan Guåhan* and *I Liheslaturan Guåhan* within  
24 one (1) year of the enactment of this Article.

25 **§ 50504. Economic Diversification Plan.**

26 The Economic Diversification Plan shall include a review of pertinent federal  
27 laws and regulations; a review of local laws and regulations with suggested changes;

1 a consideration of land requirements, constraints, and potential zoning issues; and  
2 specify any and all federal grants available to the Transshipment Task Force to  
3 implement new industries.”

4 **Section 3. Effective Date.** This Act shall be effective upon enactment.