



RALPH DLG. TORRES
Governor

VICTOR B. HOCOG
Lieutenant Governor

COMMONWEALTH of the NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

06 APR 2018

The Honorable Rafael S. Demapan
Speaker, House of Representatives
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

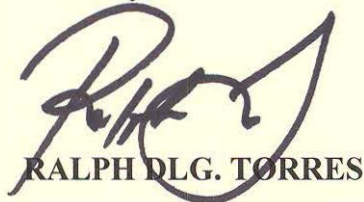
The Honorable Arnold I. Palacios
Senate President, The Senate
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 20-83, SSI entitled, "To amend the 4 CMC §§2172-2173, to enable the Marianas Visitors Authority to strengthen qualifications for tour guides and tour operators, and add a new Section 2174; and for other purposes." which was passed by the House of Representatives and the Senate of the Twentieth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 20-51**. Copies bearing my signature are forwarded for your reference.

Sincerely,



RALPH DLG. TORRES

cc: Lt. Governor; Press Secretary; Attorney General's Office; Marianas Visitors Authority; Special Assistant for Administration; Special Assistant for Programs and Legislative Review



House of Representatives

20th NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586
SAIPAN, MP 96950

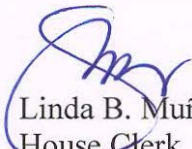
March 1, 2018

The Honorable Ralph DLG. Torres
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Torres:

I have the honor of transmitting herewith for your action **H. B. No. 20-83, SS1**, entitled: "To amend 4 CMC §§ 2172-2173, to enable the Marianas Visitors Authority to strengthen qualifications for tour guides and tour operators, and to add a new Section 2174; and for other purposes.", which was passed by the House of Representatives and the Senate of the Twentieth Northern Marianas Commonwealth Legislature.

Sincerely yours,



Linda B. Muña
House Clerk

Attachment



*Twentieth Legislature
of the
Commonwealth of the Northern Mariana Islands*

IN THE HOUSE OF REPRESENTATIVES

Fourth Special Session

June 6, 2017

REPRESENTATIVE ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Ivan A. Blanco, Joseph Leepan T. Guerrero, and Edmund S. Villagomez,) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 20-83, SS1

AN ACT

TO AMEND 4 CMC §§ 2172-2173, TO ENABLE THE MARIANAS VISITORS AUTHORITY TO STRENGTHEN QUALIFICATIONS FOR TOUR GUIDES AND TOUR OPERATORS, AND TO ADD A NEW SECTION 2174; AND FOR OTHER PURPOSES.

The Bill was referred to the House Committee on Commerce and Tourism, which submitted Standing Committee Report No. 20-51; adopted 8/18/17.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, SEPTEMBER 5, 2017;
without amendments and transmitted to the
THE SENATE.**

The Bill was referred to the Senate Committee on Resources, Economic Development & Programs, which submitted Standing Committee Report No. 20-75; adopted 2/22/18.

**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, FEBRUARY 22, 2018;
with amendments in the form of H. B. No. 20-83, SS1.**

H. B. NO. 20-83, SS1 WAS RETURNED TO THE HOUSE OF REPRESENTATIVES ON FEBRUARY 22, 2018.

The House of Representatives accepted the Senate amendments and passed H. B. No. 20-83, SS1, during its 4th Day, Third Regular Session on February 27, 2018.

THE BILL WAS FINALLY PASSED ON FEBRUARY 27, 2018.



Linda B. Muña, House Clerk



*Twentieth Legislature
of the
Commonwealth of the Northern Mariana Islands*

IN THE HOUSE OF REPRESENTATIVES

FOURTH DAY, THIRD REGULAR SESSION

FEBRUARY 27, 2018

H. B. No. 20-83, SS1

AN ACT

TO AMEND 4 CMC §§ 2172-2173, TO ENABLE THE MARIANAS VISITORS AUTHORITY TO STRENGTHEN QUALIFICATIONS FOR TOUR GUIDES AND TOUR OPERATORS, AND TO ADD A NEW SECTION 2174; AND FOR OTHER PURPOSES.

Be it enacted by the Twentieth Northern Marianas Commonwealth Legislature:

1 **Section 1. Findings and Purpose.** The Legislature finds that the CNMI's pristine
2 environment is its biggest attraction for tourism. The Legislature recognizes that tourism is
3 the primary industry in the CNMI in terms of sustaining economic growth and employment
4 for our people. Currently, with over 650,000 visitors, a record since 1997, our islands have
5 seen significant impacts on our roads, our beaches and our ways of life. The dynamics of our
6 visitors are changing as attested by a recent "Sustainability Study" published by the Marianas
7 Visitors Authority. Who the visitors are, where they go, and where they stay have all
8 significantly changed.

9 The Legislature recognizes that it is important to cater to our visitors, but it is equally
10 important to help sustain the beauty and safety of our islands. Despite numerous complaints
11 about recent visitors to the islands, the industry has not implemented any regulations to
12 remedy the situation. The Legislature finds that many of the infractions may be prevented by
13 educating our tour guides.

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1 Tour guides are especially important in catering to our biggest Korean market,
2 sustaining the Chinese, and reviving the steadily dwindling Japanese market. With
3 expanding visitor numbers, concerns regarding the work eligibility and qualification of tour
4 guides to represent our islands as ambassadors have increased. Our islands' attractions are
5 all we have and it is imperative to educate the people who work in the forefront to ensure the
6 visitors they entertain, help us to maintain the beauty of our islands.

7 The unique culture of our islands also need to be preserved in which the tour guide
8 certification program provides a streamlined resource in the source languages with translated
9 manual and accompanying videos that demonstrate how best to conduct educated tours to
10 help preserve our culture. Tour guide certification manual also contains history, geology,
11 geography, language, as well as environmental and safety precautions along with listings of
12 important fauna and flora. However, without the impetus of government regulation, it would
13 be difficult to get tour guides on board.

14 The tour guide certification program is a pro-active and preventative measure that
15 would help to prevent illegal workers from working as tour guides and prevent illegal acts
16 and businesses from taking place on our islands. Businesses that conduct their business in
17 our islands illegally are more likely to do so without a care for our environment and the
18 safety of our community. Moreover, tour guides have been found to conduct tours without
19 knowledge of environmental regulations and became aware only upon arrest.

20 The Legislature further finds that it is in the public's interest to regulate the operation
21 of tour guides and tour operator businesses to ensure the highest level of professionalism and
22 service and to minimize negative impressions of the CNMI. Moreover, the intent of this Act
23 is not to infringe on tour guides' narrative interpretation, however, it is to provide streamlined
24 history, cultural resources and other information to add to tour guide interpretation.

25 Therefore, the purpose of this Act is to amend 4 CMC §§ 2172-2173, and add a new
26 section 2174, to give MVA the ability to set additional qualifications to serve as a tour guide
27 or tour operator and to engage in enforcement actions against those who do not comply with
28 the statute.

29 **Section 2. Amendment.** Title 4, Division 2, Chapter 1, Article 7, Sections 2172 to
30 2173 of the Commonwealth Code is hereby amended to read as follows:

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1 “§ 2172. Tour Operators and Tourist Land/Sea Transport Operators:
2 **MVA Approved Certification Required.**

3 In order to obtain a certification from the MVA to conduct business as a Tour
4 Operator or Tourist Land/Sea Transport Operator, a person must:

- 5 (a) be a member in good standing with MVA;
6 (b) maintain an office within the CNMI;
7 (c) not employ tour guides that have not been certified by MVA as required by
8 4 CMC § 2173;
9 (d) maintain a bank account in the CNMI under the business name;
10 (e) employ, or retain as an independent contractor, at least one person who is
11 fluent in the English language; and
12 (f) comply with such other terms and conditions designed to promote the
13 professionalism of the tour industry as the MVA may require by regulation, including
14 the establishment of any certification fee that is necessary to recoup the costs of
15 operating the programs authorized by this Article.”

16 **§ 2173. Tour Guides: MVA Approved Certification Required.**

17 (a) No person may be employed as a tour guide unless he or she has received
18 an MVA approved certificate as set forth in subsection (b) of this section.

19 (b) All persons who wish to engage in employment as a tour guide must obtain
20 an MVA approved certificate attesting that they have successfully completed MVA
21 approved training courses and passed MVA approved examinations on:

- 22 (1) The history and culture of the Northern Mariana Islands;
23 (2) The scenic and historic landmarks and attractions of the Northern
24 Mariana Islands; and
25 (3) Protection and conservation of the natural environment.

26 (c) MVA may adopt such additional qualifications for tour guides by
27 regulation as are necessary to promote the professionalism of the tour industry, and
28 may adopt a certification fee by regulation in such an amount that is necessary to
29 recoup the costs of operating the programs authorized by this Article.

30 (d) MVA training courses shall be developed by MVA in consultation with

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1 other relevant government agencies.

2 (e) Pursuant to the express intent of this Act to bring uniformity and regulation
3 to all tour operators and tour guides, MVA shall not exempt any tour guides from the
4 requirements of this Act.”

5 **Section 3. Amendment.** Title 4, Division 2, Chapter 1, Article 7 of the
6 Commonwealth Code is hereby amended by adding a new Section 2174, to read as follows:

7 **“§ 2174. Enforcement.**

8 MVA may adopt regulations to sanction any person who acts as a tour guide, a
9 tour operator, or a tourist land/sea transport operator in violation of this Article or in
10 violation of MVA’s regulations. These sanctions may include revocation of a
11 certification, refusal to issue a certification, monetary sanctions, or equitable
12 sanctions.”

13 **Section 4. Severability.** If any provision of this Act or the application of any such
14 provision to any person or circumstance should be held invalid by a court of competent
15 jurisdiction, the remainder of this Act or the application of its provisions to persons or
16 circumstances other than those to which it is held invalid shall not be affected thereby.


17 **Section 5. Savings Clause.** This Act and any repealer contained herein shall not be
18 construed as affecting any existing right acquired under contract or acquired under statutes
19 repealed or under any rule, regulation or order adopted under the statutes. Repealers
20 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
21 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
22 any liability, civil or criminal, which shall already be in existence on the date this Act
23 becomes effective.

HOUSE BILL 20-83, SS1

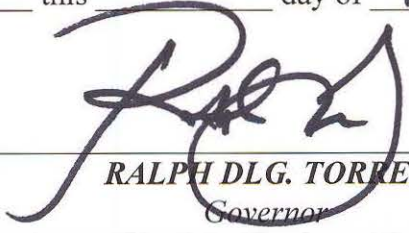
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Section 6. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

Attested to by: 
Linda B. Muña, House Clerk

Certified by: 
SPEAKER RAFAEL S. DEMAPAN
House of Representatives
20th Northern Marianas Commonwealth Legislature

Approved this *6th* day of *April*, 2018


RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands