EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

JUN 1 2 2015

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

2015 JUN 15 PM 1:02

Dear Madame Speaker:

Transmitted herewith is Bill No. 64-33 (COR) **"AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 40 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING PUBLIC BROADBAND INTERNET SERVICES AT VILLAGE COMMUNITY FACILITIES"** which I signed into law on June 10, 2015, as **Public Law 33-39.**

Senseramente,

EDDIE BAZA CALVO

33-15-0527

Office of the Speaker
Judith T. Won Pat, Ed.D

06-15-15
1:13 AM
Received By:

0527

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

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 64-33 (COR), "AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 40 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING PUBLIC BROADBAND INTERNET SERVICES AT VILLAGE COMMUNITY FACILITIES,"** was on the 29th day of May 2015, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st day of June, 2015, at 5:20 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: JUN 10 2015

Public Law No. 33-39

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

Bill No. 64-33 (COR)
As amended by the Author; and the Committee on Finance and Taxation, General Government Operations, and Youth Development; and further amended on the Floor.

Introduced by:

Tommy Morrison
V. Anthony Ada
T. R. Muña Barnes
T. C. Ada
Frank F. Blas, Jr.
FRANK B. AGUON, JR.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 40 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING PUBLIC BROADBAND INTERNET SERVICES AT VILLAGE COMMUNITY FACILITIES.

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

2 **Section 1.** A new Article 3 is *added* to Chapter 40 of Title 5, Guam Code
3 Annotated, to read as follows:

4 **"ARTICLE 3**

5 **COMMUNITY WIFI ACT**

§ 40301. Legislative Statement.

It is the intent of *I Liheslaturan Guåhan* to authorize the village Mayors to provide free wireless internet access at village community facilities.

§ 40302. Broadband Access at Community Facilities.

Each Mayoral office is authorized to expend funds under its control, subject to the regulations set forth in Chapter 5 of Title 5, Guam Code Annotated, for the purchase of equipment and services necessary to provide free wireless internet access at any of their respective community facilities.

§ 40303. Access Control.

Upon enactment of this Act, the Mayors Council of Guam *shall* determine the policies, terms of use and conditions for access to wireless internet services at community facilities. Such guidelines *shall* be approved by the Attorney General and ensure that these internet services are appropriate for minors. Each Mayoral office *shall* have the authority to determine the hours of operation for wireless internet services at respective community facilities in their villages and to refuse access to internet services to any person, provided there is just cause in the refusal of such service. All policies, terms of use and conditions *shall* be posted at the community facilities where wireless internet services are offered.

§ 40304. Immunity From Liability.

Each Mayoral office, the government of Guam, and the ISPs *shall* be immune from civil and criminal liability for any tort or crime committed by patrons of internet services provided pursuant to this Article. Each Mayoral office, the government of Guam and the ISPs *shall* be immune from civil and criminal liability due to patrons who use wireless internet services provided pursuant to this Article. There is *no* immunity from criminal or

civil liability for any employee or agent of a Mayoral office, the government of Guam, or the ISPs who directly commits a crime or tort, or is complicit in the commission of a crime or tort in the use of wireless internet services provided pursuant to this Article.

§40305. Authorization to Solicit and Accept Donations.

Notwithstanding the provisions of § 22408 of Title 5 GCA, each Mayoral office is authorized to solicit and accept donations of cash, equipment and services, for the purposes of providing internet services pursuant to this Article, so long as such services are provided without any written or implied conditions in the acceptance of these donations. All cash donations are subject to the rules and regulations governing non-appropriated funds. The name of the donor, the date of donation and a description of donation(s), with a value in excess of One Hundred Dollars ($100), for equipment and services, and for any amount in monetary donations, *shall* be posted on the Mayors Council of Guam website, and at the Mayoral office receiving the donation, for a period of *not less than* three (3) years from the date of donation. The Mayors Council of Guam *shall* develop and post guidelines, subject to the approval of the Attorney General's Office, on the solicitations and acceptance of donations to be uniformly applied to all Mayoral offices and other designated public facilities.

§ 40306. Severability.

If any provision of this Article 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 application of this Article which can be given effect without the invalid provisions or application, and to this end the provisions of this Article are severable."

1 **Section 2. Notification.** The Mayors Council of Guam *shall* notify all
2 existing service providers of the stipulations of this Act, and ensure compliance
3 with the rules and guidelines set forth.
4 **Section 3. Effective Date.** This Act *shall* be effective ninety (90) days
5 after enactment.