

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
318-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT,"	4/14/14 12:31 p.m.	04/14/14	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary	04/28/14 9 a.m.	6/16/14 4:14 p.m.	Fiscal Note Request 4/15/14



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I Mina'Trentai Dos Na Liheslaturan Guåhan | 32nd GUAM LEGISLATURE



**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

**Senator
Rory J. Respicio**
Committee Member

**Senator
Thomas C. Ada**
Committee Member

**Senator
Dennis G. Rodriguez, Jr.**
Committee Member

**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Lintiacio**
Committee Member

**Senator
Thomas Morrison**
Committee Member

JUN 16 2014

The Honorable Judith T. Won pat, Ed.D.

Speaker

I Mina'Trentai Dos Na Liheslaturan Guahan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 318-32 (LS)

2014 JUN 16 PM 4:14

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 318-32 (LS) – An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

Committee votes are as follows:

- 6 TO DO PASS
- _____ TO NOT PASS
- 2 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Respectfully,

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'Trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



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Michael Lintlaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

COMMITTEE REPORT

ON

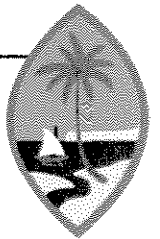
BILL NO. 318-32 (LS), An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

(Sponsored by Senator Tommy Morrison)



**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**


I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



May 16, 2014

MEMORANDUM

To: ALL MEMBERS
Committee on Guam U.S. Military Relocation, Homeland Security,
Veterans Affairs and Judiciary

From: Senator Frank B. Aguon, Jr. 
Committee Chairperson

Subject: Committee Report on Bill No. 318-32 (LS)

Transmitted herewith for your consideration is the Committee Report on Bill No. 318-32 (LS) - An Act to Add a New Article S to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 318-32 (LS)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of the Bill No. 318-32 (LS)
- Notices of Public Hearing & Other Correspondence
- Copy of Public Hearing Agenda
- Related News Report

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'ãse' !

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

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Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member



COMMITTEE ON

GUAM U.S. MILITARY RELOCATION VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



COMMITTEE VOTING SHEET

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

Senator FRANK B. AGUON, JR. Committee Chairperson

Senator Tina Muna-Barnes Committee Vice Chairperson

Speaker Judith T. Won Pat, Ed.D. Committee Member

Senator Rory J. Respicio Committee Member

Senator Thomas C. Ada Committee Member

Senator Dennis G. Rodriguez, Jr. Committee Member

Senator V. Anthony Ada Committee Member

Senator Michael Limtiaco Committee Member

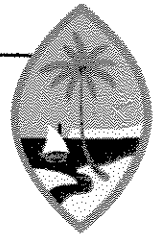
Senator Thomas Morrison Committee Member

Table with 7 columns: COMMITTEE MEMBERS, SIGNATURE, TO DO PASS, TO NOT PASS, TO REPORT OUT ONLY, TO ABSTAIN, TO PLACE IN INACTIVE FILE. Rows include AGUON, FRANK B. JR., MUNA BARNES, TINA ROSE, SPEAKER WON PAT, JUDITH T. Ed.D., RESPICIO, RORY J., ADA, THOMAS C., RODRIGUEZ, DENNIS G. JR., ADA, V. ANTHONY, LIMTIACO, MICHAEL, MORRISON, THOMAS.



**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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COMMITTEE REPORT DIGEST

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
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Committee Member

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V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

I. OVERVIEW

Bill No. 318-32 (LS), was introduced on April 14, 2014, by Senator Thomas Morrison, and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary on April 14, 2014.

Public Notice Requirements

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets for the April 28, 2014 hearing on April 18, 2014 (5-Day Notice), and again on April 23, 2014 (48-Hour Notice). Notices were also published in the Marianas Variety Newspaper for the April 28, 2014 hearing on April 18, 2014 and April 23, 2014.

Senators Present

Senator Frank B. Aguon, Jr., Chairperson
Senator Brant T. McCreadie
Senator Thomas Morrison
Senator Aline A. Yamashita, Ph.D.
Senator Christopher M. Duenas

Appearing Before the Committee

Jesse Rojas, Office of Technology
Basil O'Mallan, Chief Prosecutor, the Office of the Attorney General

The public hearing was Called-to-Order at 9:00 AM.

II. SUMMARY OF TESTIMONY & DISCUSSION

Senator Frank B. Aguon, Jr.

The Committee on Guam Military Relocation, Veterans Affairs, Homeland Security, and Judiciary. I'd like to, before I highlight the agenda, welcome my colleagues who have joined us this morning thus far. To my immediate right is Senator Brant McCreadie. To my immediate left is Senator Tommy Morrison and to his immediate left is Senator Aline Yamashita. Thank you very much Senators for joining us this morning.

On the agenda, which are several pieces of legislation. One is Bill no. 301, and we'll highlight them as we proceed with the overall discussion, and that is relative to the crime of unsworn falsification. Bill no. 302-32 (COR), which is relative to establishing fines and penalties for individuals who make false statements to a Guam Customs officer. Bill no. 317-32 (LS) relative to the crime of phishing. P-H-I-S-H-I-N-G. And Bill no. 318 is relative to creating the "Computer Protection Act". And then finally, we will close out the discussion this morning with Bill 319-32 (LS) relative to creating "Computer Spyware Protection Act". And just for the information of the public, in compliance with the public notification requirement, the initial notice was sent out to all the Senators, as well as, the stakeholders on the 18th of April.



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
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It was in print again on the 18th of April. With the second notification of public hearing sent out on the 23rd of April to all the stakeholders and then, finally, a print on the 23rd in regards to the agenda for this morning's discussion.

Now, we will proceed to Bill No. 318-32 (LS), which is relative to creating the computer protection act, sponsored by Senator Morrison. Senator Morrison, we'll provide you with a couple minutes for your brief comments, opening comments, and then we'll proceed.

Senator Tommy Morrison

Thank you, Mr. Chair. Bill 318 is the computer protection act. This bill punishes individuals who use computers and/or internet connections of others for the purposes of spamming with the intent to deceive or mislead recipients or an electronic mail service provided as to the origin of the message. For the listening audience, spam is irrelevant or inappropriate messages sent on the internet to large number of recipients. And again, key to this legislation, is there needs to be an attempt to deceive, mislead, and defraud using spam. Thank you, Mr. Chair.

Senator Frank B. Aguon, Jr.

Thank you very much Senator Morrison. We do have, again, Mr. Rojas and then Attorney Basil O'Mallan. Did you want to provide testimony or?

Attorney Basil O'Mallan

We're going to submit written testimony.

Senator Frank B. Aguon, Jr.

Written testimony will be provided subsequent to today's... and you are in support of this legislation. Mr. Rojas.

Jesse Rojas

In support.

Senator Frank B. Aguon, Jr.

Same comments?

Jesse Rojas

Yes sir.

Senator Frank B. Aguon, Jr.

As it applies to bill 318, thank you very much gentlemen for joining us this morning. So, Bill No. 318-32(LS), relative to creating the computer protection act is hereby publicly heard and the committee will continue to receive written testimony ten days subsequent to this hearing.

The public hearing was adjourned at 9:47 AM.



**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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III. WRITTEN TESTIMONIES

The following individuals submitted written testimonies to the Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary before or after the scheduled Public Hearing on April 28, 2014 at 9:00 AM:

1. Joseph C. Manibusan, Data Processing Manager, Office of Technology

IV. FINDINGS & RECOMMENDATIONS

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary hereby submits these findings and reports out Bill No. 318-32 (LS) by the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary, with a recommendation TO PASS.

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 318-32 (LS)

Introduced by:

T. A. Morrison ✓

AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46,
TITLE 9, GUAM CODE ANNOTATED RELATIVE TO
CREATING THE "COMPUTER PROTECTION ACT,"

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2

3 **Section 1.** A new Article 3 is *added* to Chapter 46 of 9GCA to read:

4

5

"Article 5

6

Computer Protection Act

7 **§46.500. Legislative Intent**

8 It is the intent of *I Liheslatura* to prohibit a person from using specified protected
9 computers to relay or retransmit commercial electronic mail messages with the intent to
10 deceive or mislead recipients or an electronic mail service provider under specified
11 circumstances; prohibits a person from materially falsifying header information in
12 commercial electronic mail messages under specified circumstances; prohibits a person
13 from registering for electronic mail accounts or domain names under specified
14 circumstances; provides for specified penalties and fines; etc.

15 **§46.501. Definitions**

2014 APR 11 PM 12:31

1 (1) In this section the following words have the meanings indicated.

2 (2) “Commercial electronic mail message” means an electronic message sent primarily for
3 the purpose of commercial advertisement or promotion of:

4 (I) A commercial product;

5 (II) A commercial service;

6 (III) The content on an Internet website; or

7 (IV) A website operated for a commercial purpose.

8 (3) “Domain name” means any alphanumeric designation that is registered with or
9 assigned by a domain name registrar, domain name registry, or other domain name
10 registration authority as part of an electronic mail address on the Internet.

11 (4) “Electronic mail service provider” means any person, including an Internet service
12 provider, that is an intermediary in sending and receiving electronic mail and that provides
13 to the public the ability to send or receive electronic mail to or from an electronic mail
14 account or online user account.

15 (5) “Financial institution” means any financial institution of the type supervised under
16 11GCA, whether or not locally-chartered.

17 (6) “Header information” means the source, destination, and routing information attached
18 to an electronic mail message, including the originating domain name and originating
19 electronic mails, and any other information that appears in the line identifying or
20 purporting to identify a person initiating the message, and technical information that
21 authenticates the sender of an electronic mail message for network security or network
22 management purposes.

23 (7) The term “initiate”, when used with respect to a commercial electronic mail message,
24 means to originate or transmit the message or to procure the origination or transmission of

1 the message and does not include actions that constitute routine conveyances of such
2 message.

3 (8) "Internet" means the international computer network of both federal and nonfederal
4 interoperable packet switched data networks.

5 (9) "Internet protocol address" means the string of numbers by which a location on the
6 Internet is identified by routers or other computers connected to the Internet.

7 (10) "Materially falsified" means altered or concealed in a manner that would impair the
8 ability of one of the following to identify, locate, or respond to a person who initiated an
9 electronic mail message or to investigate an alleged violation of this section:

10 (I) A recipient of the message;

11 (II) An Internet access service processing the message on behalf of a recipient;

12 (III) A person alleging a violation of this section; or

13 (IV) A law enforcement agency.

14 (11) "Multiple" means:

15 (I) More than ten (10) commercial electronic mail messages during a twenty four -
16 hour (24-hour) period;

17 (II) More than one hundred (100) commercial electronic mail messages during a
18 thirty-day (30-day) period; or

19 (III) More than one thousand (1,000) commercial electronic mail message during a
20 one-year (1-year) period.

21 (12) "Protected computer" means a computer used in intrastate or interstate
22 communication.

1 (13) "Routine conveyance" means the transmission, routing, relaying, handling, or storing,
2 through an automatic technical process, of an electronic mail message for which another
3 person has identified the recipients or provided the recipients' addresses.

4 **§46.502. Violations** A person may not conspire to or knowingly:

5 (1) Use a protected computer of another to relay or retransmit multiple commercial
6 electronic mail messages with the intent to deceive or mislead recipients or an electronic
7 mail service provider as to the origin of the message;

8 (2) Materially falsify header information in multiple commercial electronic mail messages
9 and intentionally initiate the transmission of the messages;

10 (3) Register, using information that materially falsifies the identity of the actual registrant,
11 for fifteen (15) or more electronic mail accounts or on-line user accounts of two or more
12 domain names and intentionally initiate the transmission of multiple commercial
13 electronic mail messages from one or any combination of accounts or domain names;

14 (4) Falsely represent the right to use five (5) or more Internet protocol addresses and
15 intentionally initiate the transmission of multiple commercial electronic mail messages
16 from the Internet protocol addresses;

17 (5) Access a protected computer of another without authorization, and intentionally
18 initiate the transmission of multiple electronic mail advertisements from or through the
19 protected computer;

20 (6) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting
21 addresses to which a message was transmitted, knowing that:

22 (i) The electronic mail addresses of the recipients were obtained using an automated
23 means from an Internet website or proprietary online service operated by another
24 person; and

1 (II) The website or online service included, at the time the addresses were obtained,
2 a notice stating that the operator of the website or online service will not transfer
3 addresses maintained by the website or online service to any other party for the
4 purposes of initiating or enabling others to initiate electronic mail messages; or

5 (7) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting
6 electronic mail addresses of recipients obtained using an automated means that generates
7 possible electronic mail addresses by combining names, letters, or numbers into numerous
8 permutations.

9 **§46.503. Penalties**

10 (1) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section is guilty of
11 a third degree felony and on conviction is subject to imprisonment not exceeding three (3)
12 years or a fine not exceeding Five Thousand (\$5,000) or both.

13 (2) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section involving
14 the transmission of more than two hundred fifty (250) commercial electronic mail
15 messages during a twenty-four hour (24-hour) period, two thousand five hundred (2,500)
16 commercial electronic mail messages during any thirty-day (30-day) period, or twenty five
17 thousand (25,000) commercial electronic mail messages during any one-year (1-year)
18 period is guilty of a second degree felony and on conviction is subject to imprisonment
19 not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars (\$10,000) or
20 both.

21 (3) A person who violates subsection (B)(3) or (B)(4) of this section involving twenty
22 (20) or more electronic mail accounts or ten (10) or more domain names and intentionally
23 initiates the transmission of multiple commercial electronic mail messages from the
24 accounts or using the domain names is guilty of a second degree felony and on conviction
25 is subject to imprisonment not exceeding five (5) years or a fine not exceeding Ten
26 Thousand Dollars (\$10,000) or both.

1 (4) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section that causes
2 a loss of \$1,000 or more during any one-year (1-year) period is guilty of a felony and on
3 conviction is subject to imprisonment not exceeding three (3) years or a fine not
4 exceeding Five Thousand Dollars (\$5,000) or both.

5 (5) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in concert
6 with three or more other persons as the leader or organizer of the action that constitutes
7 the violation is guilty of a second degree felony and on conviction is subject to
8 imprisonment not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars
9 (\$10,000) or both.

10 (6) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in
11 furtherance of a felony, or who has previously been convicted of an offense under the
12 laws of Guam, another state, or under any Federal law involving the transmission of
13 multiple commercial electronic mail messages is guilty of a second degree felony and on
14 conviction is subject to imprisonment not exceeding ten (10) years or a fine not exceeding
15 Twenty Five Thousand Dollars (\$25,000) or both.

16 (7) A person who violates subsection (b)(6) or (7) of this section is guilty of a felony and
17 on conviction is subject to imprisonment not exceeding one (1) year or a fine not
18 exceeding Five Thousand Dollars (\$5,000) or both.

19 **§46.504. Forfeiture.** In addition to any other sentence authorized by law, the court may
20 direct that a person convicted of a violation of this section forfeit to the territory:

21 (1) Any moneys and other income, including all proceeds earned but not yet received by a
22 defendant from a third party as a result of the defendant's violation of this section; and

23 (2) All computer equipment, computer software, and personal property used in connection
24 with a violation of this section known by the owner to have been used in violation of this
25 section.

1 **§46.504. Civil action by Attorney General.**

2 (1) An action brought under this subsection shall be commenced within two (2) years after
3 the commission of the act.

4 (2) The Attorney General may institute a civil action against a person who violates this
5 section to recover a civil penalty not exceeding:

6 (I) \$25,000 per day of violation; or

7 (II) Not less than Two Dollars (\$2) nor more than Eight Dollars (\$8) per
8 commercial electronic mail message initiated in violation of this section.

9 (III) For any violation of this Act, the amount determined under paragraph (2) may
10 not exceed Two Million Dollars (\$2,000,000).

11 (3) The Attorney General may seek an injunction in a civil action to prohibit a person who
12 has engaged in or is engaged in a violation of this section from engaging in the violation.

13 (4) The attorney general may enforce criminal violations of this section.

14 **§46.505. Lawfulness of electronic mail service provider policies.** Nothing in this
15 section shall be construed to have any effect on the lawfulness of the adoption,
16 implementation, or enforcement by an electronic mail service provider of a policy of
17 declining to transmit, route, relay, handle, or store certain types of electronic mail
18 messages under any other provision of law.

19 **§46.506. Severability.** If any provision of this Act or its application to any person or
20 circumstance is found to be invalid or contrary to law, such invalidity *shall* not affect
21 other provisions or application of this Act which can be given effect without the invalid
22 provisions or application, and to this end the provisions of this Act are severable.

**COMMITTEE ON GUAM US MILITARY RELOCATION, VETERANS' AFFAIRS HOMELAND
SECURITY & JUDICIARY**

I Mina'Trentai Dos na Liheslaturan Guahan | 32nd Guam Legislature



**SENATOR FRANK B. AGUON, JR
CHAIRMAN**

Monday, April 28, 2014 @ 9:00A.M.

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." **(Sponsored by Senator Tommy Morrison)**

NAME (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
JESSE ROJAS	OFFICE OF TECH	4751203			✓	
Basil O'Mellan	OAG				✓	



Department of Administration
(DIPATTAMENTON ATEMENSTRASION)
OFFICE OF TECHNOLOGY



Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

Post Office Box 884 Hagatña, Guam 96932
Tel: (671) 475-1113/1229 - Fax: (671) 472-9508

May 20, 2014

Transmitted via Electronic Mail: aguon4guam@gmail.com

Honorable Frank Blas Aguon, Jr.
Chairman, Committee on the Guam-US Military Relocation, Homeland Security,
Veteran's Affairs and Judiciary
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Place
Hagatña, Guam 96910

Subject: Testimony in support of Bill 318-32 (LS) "An Act to add a new Article 5 to Chapter 46, Title 9 Guam Code Annotated relative to creating the Computer Protection Act."

Dear Senator Aguon,

Hafa Adai. The Office of Technology is in support of Bill 318-32 (LS) "An Act to add a new Article 5, Chapter 46, Title 9 Guam Code Annotated relative to creating the Computer Protection Act."

The Office of Technology (OTech) supports the safe and responsible use of technology. As such, OTech is in support of the intent of Bill 318-32 because the bill, if passed, criminalizes the unauthorized use and abuse of computers, data, and information. These such criminal activities violate businesses, governments and individuals through the use of information computing hardware, software, other computing resources and the world wide web for malicious purposes.

OTech recommends passage of Bill 318-32 (LS) as part of our local government's efforts to help make our online experience a safer and more secure one.

Sincerely,

Joseph C. Manibusan (Joey)
Data Processing Manager
Office of Technology
Department of Administration



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
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Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of Waiver of

Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 318-32 (LS)**, "AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT," – on April 15, 2014. COR hereby certifies that BBMR confirmed receipt of this request April 16, 2014 at 9:14 A.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 318-32 (LS) to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules

June 16, 2014

Date



COMMITTEE ON RULES

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Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

April 15, 2014

VIA E-MAIL
john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 309-32 (COR), 310-32(LS), 311-32(LS), 312-32(LS), 313-32(LS), 314-32(LS), 315-32(LS), 316-32(LS), 317-32(LS), 318-32(LS), 319-32(LS), and 320-32(LS)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
309-32 (COR)	V.C.Pangelinan B. J.F. Cruz	AN ACT TO ADD A NEW SECTION 7 TO CHAPTER I OF PUBLIC LAW 32-068 AND TO REPEAL AND RE-ENACT SECTION 13109(a)(5), CHAPTER 13, TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO PRIORITIZING THE USES OF ADDITIONAL SECTION 30 REVENUES AND TO INCREASE TRANSPARENCY AND ACCOUNTABILITY IN THE REPORTING OF SECTION 30 REVENUES TO BE RECEIVED BY THE GOVERNMENT OF GUAM.
310-32 (LS)	FRANK B. AGUON, JR.	AN ACT TO ADD A NEW §55104, §55104.1, §55104.2, §55104.3 TO CHAPTER 55, DIVISION 3, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE ESTABLISHMENT OF PHYSICAL FITNESS STANDARDS AND POLICIES FOR PUBLIC SAFETY AND LAW ENFORCEMENT UNIFORM PERSONNEL; AND SHALL HENCEFORTH BE KNOWN AS THE "FIT TO SERVE AND PROTECT ACT OF 2014".
311-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS AVAILABLE IN THE LIMITED GAMING FUND IN FISCAL YEAR 2013-2014 IN ACCORDANCE WITH PUBLIC LAW 32-060.
312-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS IN THE GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY PURSUANT TO PUBLIC LAW 32-060; BY AMENDING SUBSECTION "(B)" OF §97103, CHAPTER 97, ARTICLE 1, TITLE 10, GUAM CODE ANNOTATED.
313-32 (LS)	Brant T. McCreddie V. Anthony Ada Chris M. Dueñas Michael T. Limtiaco Tommy Morrison Aline A. Yamashita, Ph.D. FRANK B. AGUON, JR. Dennis G. Rodriguez, Jr.	AN ACT TO CREATE A NEW ARTICLE 6 TO CHAPTER 90 TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS "THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2014".
314-32 (LS)	Aline A. Yamashita, Ph.D	AN ACT TO ADD A NEW CHAPTER 81 TO TITLE 21, GUAM CODE ANNOTATED RELATIVE TO CREATING A STREAMLINED AND EXPEDITED PROCESS FOR REZONING REAL PROPERTY FOR CONSTRUCTING SMALL PROJECTS BY PARTIALLY PRIVATIZING THE PROCESS.
315-32 (LS)	Michael F.Q. San Nicolas	AN ACT TO APPROPRIATE TWO HUNDRED NINETY-TWO THOUSAND EIGHT HUNDRED DOLLARS (\$292,800) TO FUND PROGRAMS FOR DRUG AND ALCOHOL TREATMENT SERVICES AND EMERGENCY YOUTH SHELTER FOR HOMELESS, RUNAWAY, AND ABUSED YOUTH, BY ADDING A NEW §11 TO CHAPTER XI OF PUBLIC LAW 32-068.

Bill Nos.	Sponsors	Title
316-32(LS)	Benjamin J.F. Cruz	AN ACT TO REPEAL AND REENACT §3105, CHAPTER 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO RESPONSIBLY RAISING THE MINIMUM WAGE.
317-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 46 OF 9GCA RELATIVE TO THE CRIME OF PHISHING.
318-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT,"
319-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER SPYWARE PROTECTION ACT,"
320-32 (LS)	V.C. Pangelinan	AN ACT TO ADD A NEW CHAPTER 53 TO DIVISION 2, AND TO ADD A NEW SECTION 70134 TO CHAPTER 70, DIVISION 3, TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE THE CREATION OF THE GUAM QUALIFIED RETIREMENT PLAN AND TRUST ACT.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

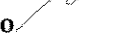
Senator
Aline Yamashita
Member

April 14, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 318-32(LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 318-32(LS)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Liheslaturan Received

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
318-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT,"	4/14/14 12:31 p.m.	04/14/14	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary			



FIRST NOTICE - Public Hearing on Monday, April 28, 2014 at 9:00 AM

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>

Fri, Apr 18, 2014 at 9:33 AM

To: phnotice@guamlegislature.org

Cc: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 18, 2014

MEMORANDUM

TO: All Honorable Senators/Media/Stakeholders

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: **FIRST NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00 AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

Bill No. 301-32 (COR) – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. **(Sponsored by Senator Brant T. McCreadie)**

Bill No. 302-32 (COR) – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. **(Sponsored by Senator Brant T. McCreadie)**

Bill No. 317-32 (LS) - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. **(Sponsored by Senator Tommy Morrison)**

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." **(Sponsored by Senator Tommy Morrison)**

Bill No. 319-32 (LS) - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." **(Sponsored by Senator Tommy Morrison)**

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at committee@frankaguonjr.com or Matt Topasna via email at policy@frankaguonjr.com or please contact the office directly at 477-GUM1/2.

Si Yu'os Ma'åse!

—
Thanks!

Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

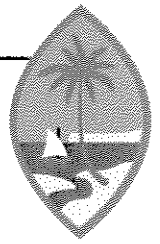
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GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



April 18, 2014

MEMORANDUM

TO: **All Honorable Senators/Media/Stakeholders**

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: **FIRST NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. (**Sponsored by Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. (**Sponsored by Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. (**Sponsored by Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." (**Sponsored by Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." (**Sponsored by Senator Tommy Morrison**)

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at committee@frankaguonjr.com or Matt Topasna via email at policy@frankaguonjr.com or please contact the office directly at 477-GUM1/2.

Si Yu'os Ma'åse!

cc: Clerks
MIS
Sgt-at-Arms

Senator
FRANK B. AGUON, JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

Speaker
Judith T. Won Pat, Ed.D.
Committee Member

Senator
Rory J. Respicio
Committee Member

Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member



OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam US Military Relocation,

Homeland Security, Veterans Affairs and Judiciary

Mina' Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature

MONDAY, APRIL 28, 2014

Public Hearing at 09:00 AM

Roundtable on Draft SEIS at 6:00 PM

AGENDA

Bill No. 301-32 (COR) - An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.

Bill No. 302-32 (COR) - An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. 2nd Public Hearing.

Bill No. 317-32 (LS) - An Act to Add a New Article 4 to Chapter 46 of 96CA relative to the Crime of Phishing.

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

Bill No. 319-32 (LS) - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."

ROUNDTABLE on Draft SEIS at 6:00 PM

Draft Supplemental Environmental Impact Statement (DSEIS) - Discussions on the Key Differences Between the 2010 Final (EIS) and the 2014 Draft SEIS (DSEIS); SEIS Timeline; Public Meeting Schedule to allow maximum public participation during the comment period.

The public hearing will be broadcasted on Docomo Pacific TV Channel 117 or GUDTV Channel 21. If you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2) or e-mail: committee@frankaguonjr.com, or polky@frankaguonjr.com.

This ad paid for with government funds



SECOND NOTICE - Public Hearing on Monday, April 28, 2014 at 9:00 AM

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>

Wed, Apr 23, 2014 at 12:06 PM

To: phnotice@guamlegislature.org

Cc: Guam Legislature Clerks Office <clerks@guamlegislature.org>, mis@guamlegislature.org, sgtarms@guamlegislature.org, "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 23, 2014

MEMORANDUM

TO: All Honorable Senators/Media/Stakeholders

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: **SECOND NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00 AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan*'s Public Hearing Room, Hagåtña, on the following:

Bill No. 301-32 (COR) – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. (**Sponsored by Senator Brant T. McCreadie**)

Bill No. 302-32 (COR) – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. (**Sponsored by Senator Brant T. McCreadie**)

Bill No. 317-32 (LS) - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. (**Sponsored by Senator Tommy Morrison**)

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." (**Sponsored by Senator Tommy Morrison**)

Bill No. 319-32 (LS) - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." (**Sponsored by Senator Tommy Morrison**)

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan*'s website at www.guamlegislature.com. Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at committee@frankaguonjr.com_ or Matt Topasna via email at policy@frankaguonjr.com_ or please contact the office directly at 477-GUM1/2.

Si Yu'os Ma'åse!

—

Thanks!

Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

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FBA_2ndNoticePH(28APR14).pdf

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Adam Bearce <adam@guamlegislature.org>

Wed, Apr 23, 2014 at 12:13 PM

To: "Office of Sen. Frank B. Aguon, Jr." <committee@frankaguonjr.com>, Yong Pak <yong@guamlegislature.org>

Done

[Quoted text hidden]



GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

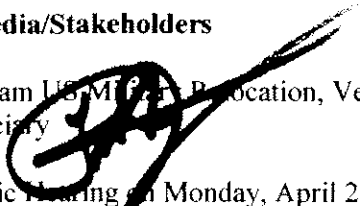
I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



April 23, 2014

MEMORANDUM

TO: **All Honorable Senators/Media/Stakeholders**

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary 

SUBJECT: **SECOND NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. **(Sponsored by Senator Brant T. McCreadie)**
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. **(Sponsored by Senator Brant T. McCreadie)**
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. **(Sponsored by Senator Tommy Morrison)**
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." **(Sponsored by Senator Tommy Morrison)**
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." **(Sponsored by Senator Tommy Morrison)**

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at committee@frankaguonjr.com or Matt Topasna via email at policy@frankaguonjr.com or please contact the office directly at 477-GUM1/2.

Si Yu'os Ma'åse!

cc: Clerks
MIS
Sgt-at-Arms

Senator
FRANK B. AGUON, JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

Speaker
Judith T. Won Pat, Ed.D.
Committee Member

Senator
Rory J. Respicio
Committee Member

Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member



Sponsor Notification: Bill No. 317-32(LS), Bill No. 318-32(LS), Bill No. 319-32(LS)

1/10/2014

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com> Tue, Apr 15, 2014 at 10:40 AM
To: Tommy Morrison <tommy@senatormorrison.com>
Cc: "Frank Aguon, Jr." <aguon4guam@gmail.com>, "Comm. on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary" <committee@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 15, 2014

To: THE HONORABLE THOMAS MORRISON

From: SENATOR FRANK B. AGUON, JR.

Chairperson, Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary

Subject: Public Hearing for Bill No. 317-32(LS); Bill No. 318-32(LS); and Bill No. 319-32(LS) scheduled for Monday, April 28, 2014 at 9:00 AM.

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will conduct a public hearing at on **Monday, April 28, 2014 at 9:00AM** at the Guam Legislature's Public Hearing Room, and among the items on the agenda is the following Bill of which you are the author.

- **Bill No. 317-32 (LS)** – An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."

You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on this bill. Thank you for your kind attention.

Si Yu'os Ma'ase' !

—
Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary
155 Hesler PL Suite 104, Hagåtña, Guam 96910
Tel: (671) 475-GUM1/2 (4861/2)
Fax: (671) GUM3 (4863)
aguon4guam@gmail.com | www.frankaguonjr.com

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SPONSOR NOTIFICATION BILL NO. 317-32_LS_-318-32_LS_-319-32_LS_.pdf
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OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam US Military Relocation,

Homeland Security, Veterans Affairs and Judiciary

Mina Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature

MONDAY, APRIL 28, 2014

Public Hearing at 09:00 AM

Roundtable on Draft SEIS at 6:00 PM

AGENDA

Bill No. 301-32 (COR) - An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.

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Bill No. 317-32 (LJ) - An Act to Add a New Article 4 to Chapter 46 of 96CA relative to the Crime of Phishing.

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

Bill No. 319-32 (LS) - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."

ROUNDTABLE on Draft SEIS at 6:00 PM

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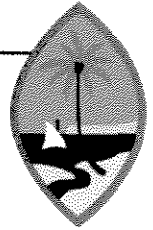
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COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



April 15, 2014

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

**Senator
Rory J. Respicio**
Committee Member

**Senator
Thomas C. Ada**
Committee Member

**Senator
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Committee Member

**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Lintlaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

To: THE HONORABLE THOMAS MORRISON

From: SENATOR FRANK B. AGUON JR.

Chairperson, Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary

**Subject: Public Hearing for Bill No. 317-32(LS); Bill No. 318-32(LS); and
Bill No. 319-32(LS) scheduled for Monday, April 28, 2014 at 9:00AM.**

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will conduct a public hearing at on Monday, April 28, 2014 at 9:00AM at the Guam Legislature's Public Hearing Room, and among the items on the agenda is the following Bill of which you are the author.

Bill No. 317-32 (LS) – An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

Bill No. 319-32 (LS) - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."

You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on this bill. Thank you for your kind attention.

Si Yu'os Ma'åse' !

**Listserv: phnotice@guamlegislature.org
As of March 13, 2014**

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admin@frankaguonjr.com
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cor@guamlegislature.org
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koreannews@guam.net
koreatv@kuentos.guam.net
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kstonews@ite.net

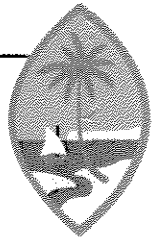
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As of March 13, 2014**

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**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE

**Notified Stakeholders**

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

**Senator
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**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Limplaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

- **All Senators/Stakeholders/Media Outlets**
- **Governor Eddie B. Calvo**
- **Congresswoman Madeleine Z. Bordallo**
- **Chief Justice Robert J. Torres, Jr.**
- **Special Assistant to the Governor on Military Buildup & Infrastructure**
 - Mark Calvo
- **Guam Customs & Quarantine Agency**
 - Pedro Leon Guerrero, Director
 - Rafalle J. M. Sgambelluri, Chief
- **Guam Homeland Security Advisor**
 - Ambrose Constantino
- **Office of Veterans Affairs**
 - The Honorable John Unpingco, Esq.
- **Office of Civil Defense**
 - James T. McDonald, Administrator
- **Office of the Attorney General**
 - Attorney General Leonardo G. Rapadas
- **Public Defender Service Corporation**
 - Eric D. Miller



GUAM U.S. MILITARY RELOCATION
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Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

April 18, 2014

The Honorable Eddie Baza Calvo
Governor of Guam
513 West Marine Corps Drive
Hagåtña, Guam 96910
Sent via email to: governor@guam.gov

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at *Liheslaturan Guahan*. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.
(Sponsored by Senator Tommy Morrison)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."
(Sponsored by Senator Tommy Morrison)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."
(Sponsored by Senator Tommy Morrison)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *Liheslaturan Guahan*'s website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to committee@frankaguonjr.com or Matt Topasna via email to policy@frankaguonjr.com or please contact the office directly at 477-GUM1/2.

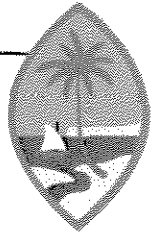
Respectfully,

SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



**GUAM U.S. MILITARY RELOCATION
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



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**Senator
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Committee Member

**Senator
Thomas Morrison**
Committee Member

April 18, 2014

The Honorable Madeleine Z. Bordallo
Congresswoman of Guam | Guam Delegate
120 Father Dueñas Avenue Suite 107
Hagåtña, Guam 96910
Sent via email to: madeleine.bordallo@mail.house.gov

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guåhan. Included on the agenda are the following bills:

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Respectfully,

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
Mina'Trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



April 18, 2014

The Honorable Robert J. Torres, Jr.
Chief Justice of Guam

Suite 300, Guam Judicial Center 120 West O'Brien Drive
Hagåtña, Guam 96910

Sent via email to: rjtorres@guamsupremecourt.com

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

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SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature

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Senator
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Committee Member

April 18, 2014

Mark Calvo
Special Assistant to the Governor on Military Buildup and Infrastructure
513 West Marine Corps Drive
Hagåtña, Guam 96910
Sent via email to: mark.calvo@guam.gov

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

Buenas yan Hafa Adai!

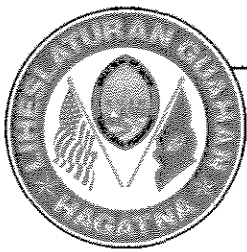
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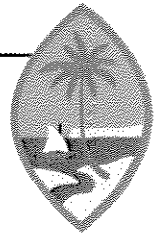
Respectfully,

SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



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Committee Member

April 18, 2014

Pedro A. Leon Guerrero, Jr.
Director, Guam Customs and Quarantine Agency
770 East Sunset Boulevard Airport Road
AB WonPat, Guam 96913
Sent via email to: pedro.leonguerrero@cga.guam.gov

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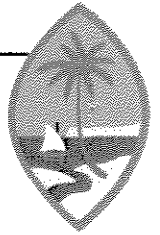
Respectfully,

SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
Mina'Trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



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**Senator
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Committee Member

April 18, 2014

Raffaele Sgambelluri
Chief, Guam Customs and Quarantine Agency
770 East Sunset Boulevard Airport Road
AB WonPat, Guam 96913
Sent via email to: raffaele.sgambelluri@cga.guam.gov

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

Buenas yan Hafa Adai!

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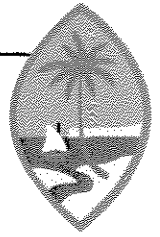

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Senator
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Committee Member

April 18, 2014

Ambrosio Constantino
Advisor, Guam Homeland Security
221B Chalan Palayso
Agana Heights, Guam 96910
Sent via email to: ambrosia.constantino@ghs.guam.gov

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COMMITTEE ON

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Michael Llimtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

April 18, 2014

The Honorable John Unpingco, Esq.
Administrator, Office of Veterans Affairs
172 S. Marine Drive, Asan
Hagåtña, Guam 96910
Sent via email to: john.unpingco@gvao.guam.gov

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

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PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

WWW.FRANKAGUONJR.COM



GUAM U.S. MILITARY RELOCATION
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April 18, 2014

James T. McDonald
Administrator, Office of Civil Defense
221B Chalan Palayso
Agana Heights, Guam 96910
Sent via email to: jim.mcdonald@ghs.guam.gov

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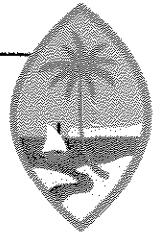

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April 18, 2014

The Honorable Leonardo G. Rapadas
Attorney General of Guam
237 W. O'Brien Drive
Hagåtña, Guam 96910
Sent via email to: law@guamag.gov

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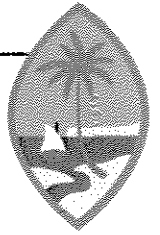
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April 18, 2014

Eric D. Miller
Executive Director, Public Defender Service Corporation
MVP Sinajana Commercial Bldg., Unit B
Sinajana, Guam 96910
Sent via email to: emiller@guampdsc.net

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PUBLIC HEARING

Monday, April 28, 2014 at 9:00AM

I Liheslaturan Guahan's Public Hearing Room, Hagåtña

AGENDA

- I. Call to Order
- II. Opening remarks/Announcements
- III. Items for discussion:
 - **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.
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(Sponsored by Senator Tommy Morrison)
- IV. Closing Remarks
- V. Adjournment

Three bills aim to tackle Internet crime

TUESDAY, 15 APR 2014 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 328



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WITH the growing proliferation of online scams, Sen. Tommy Morrison has introduced three bills that aim to protect Guam residents from Internet crimes.

"Guam law is not very strong in this area, and as we proceed into the Information Age, it is critical that we begin adopting laws that are consistent with evolving crime," Morrison said in a statement accompanying the bills.

Bill 317, the Anti-Phishing Act, punishes individuals who use deceptive means to steal bank account numbers, Social Security Numbers and passwords through the Internet. Phishing is the act of attempting to acquire information such as usernames, passwords and credit card details by masquerading as a trustworthy entity in an electronic communication.

The bill would make phishing a third-degree felony and fine criminals up to \$25,000 per violation. The bill would also allow victims to recover up to \$2 million in civil damages.

The second measure, Bill 318, The Computer Protection Act, would punish individuals who use computers and/or Internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the origin of the message.

The third piece of legislation, Bill 319, The Computer Spyware Protection Act, seeks to punish individuals who, without the knowledge or permission of the owner, place spyware on another person's computer. Spyware is used primarily for covertly tracking Internet users' movements on the Web and serving pop-up ads to users.

According to Morrison, the bills are necessary as Guam statute is currently limited in protecting Guam residents from these types of crimes.

"Guam must begin adopting laws that are relevant to criminal activity in the Information Age. We have seen more and more cases where people are receiving bogus emails, under the disguise of local banks, with the intent to defraud them of their hard-earned money," the senator said.



Sen. Tommy Morrison said Guam must begin adopting laws that are relevant to criminal activity in the Internet age. Variety file photo

Morrison Internet Bills Aim to Protect Island Residents Against Fraud

Last Updated on Tuesday, 15 April 2014 07:35
Written by News Release
Tuesday, 15 April 2014 07:23



Guam News - Guam News

Guam - Senator Morrison introduced three bills that protect Guam residents from Internet crimes, specifically in defrauding.

The three bills introduced are The Anti-Phishing Act, The Computer Protection Act, The Computer Spyware Protection Act.

"Guam law is not very strong in this area, and as we proceed into the Information Age, it is critical that we begin adopting laws that are consistent with evolving crime," Morrison said.

BREAD Bill #317 [HERE](#)

BREAD Bill #318 [HERE](#)

READ Bill #319 [HERE](#)

READ the release from Senator Morrison below:

*MORRISON INTRODUCES 3 INTERNET CRIME BILLS
Bills protect Guam residents from Internet fraud.*

*FOR IMMEDIATE RELEASE
April 14, 2014*

Hagatna, Guam. Senator Morrison introduced three bills today that protect Guam residents from Internet crimes. "Guam law is not very strong in this area, and as we proceed into the Information Age, it is critical that we begin adopting laws that are consistent with evolving crime," Morrison said.

The bills introduced address attempts to defraud Guam residents using the Internet:

Bill # 317-32 (LS): The Anti-Phishing Act- Punishes individuals who use deceptive means to steal bank account numbers, social security numbers, and passwords through the Internet. Phishing is the act of attempting to acquire information such as usernames, passwords, and credit card details by masquerading as a trustworthy entity in an electronic communication. The bill would make phishing a 3rd degree felony and fines criminals up to \$25,000 per violation. The bill would also allow victims to recover up to \$2,000,000 in civil damages.

Bill# 318-32 (LS): The Computer Protection Act- Punishes individuals who use the computers and/or internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the origin of the message.

Bill # 319-32 (LS): The Computer Spyware Protection Act- Punishes individuals who, without the knowledge or permission of the owner, place spyware on another person's computer. Spyware is used primarily for unknowingly tracking Internet users movements on the web and serving pop-up ads to users.

According to Senator Morrison, the bills are necessary as Guam statute is currently limited in protecting Guam residents from these types of crimes. "Guam must begin adopting laws that are relevant to criminal activity in the Information Age. We have seen more and more cases where people are receiving bogus emails, under the disguise of local banks, with the intent to defraud them of their hard earned money."

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Crime legislation to be heard today

MONDAY, 28 APR 2014 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 52



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SEVERAL crime bills will be the subject of public hearings at the Guam Legislature today, including a set of measures which offer protection from Internet crimes and another set which seeks to introduce penalties for making false statements to law enforcers.

Sen. Frank Aguon, chairman of the judiciary committee, is to convene the public hearing at 9 a.m.

Among the bills to be heard are 301 and 302, introduced by Sen. Brant McCreadie, relative to making false statements to law enforcers.

As proposed by Bill 302, those caught making verbal or written false statements to a Guam Customs and Quarantine Agency officer would be guilty of a violation punishable by a fine of \$500 for the first offense, \$1,000 for a second offense and \$10,000 for the third and all subsequent offenses.

Under current Guam law, the customs agency does not have the ability to cite individuals who make false declarations.

McCreadie said the intent of the bill is to eventually eliminate prohibited items from entering Guam and gives the customs agency the mandate it needs to properly seize and eventually destroy illegal items.

False verbal statement

Bill 301 incorporates false or misleading verbal statements made to a peace officer as a punishable offense under the crime of unsworn falsification.

Under current law, the crime of unsworn falsification applies only to written false statements made to public servants as punishable and does not include a provision for a person who verbally misleads a public servant performing official duties.

According to the bill, police officers, customs agents and a range of public servants rely on interview and verbal questioning to obtain needed information in the performance of their official duties.

By adding a provision that sets a punishment for verbal unsworn falsifications, McCreadie said Guam peace officers will have the ability to arrest those who verbally mislead them with the intent of committing an action against the welfare of the people of Guam.

Internet crime

The committee will also hear Sen. Tommy Morrison's three measures seeking to protect Guam residents from Internet crimes.

Bill 317, the Anti-Phishing Act, punishes individuals who use deceptive means to steal bank account numbers, Social Security numbers and passwords through the Internet.

Phishing is the act of attempting to acquire information such as usernames, passwords and credit card details by masquerading as a trustworthy entity in an electronic communication.

The bill would make phishing a third-degree felony and fine criminals up to \$25,000 per violation. The bill would also allow victims to recover up to \$2 million in civil damages.

The second measure, Bill 318, The Computer Protection Act, would punish individuals who use computers and/or Internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the origin of the message.

The third piece of legislation, Bill 319, The Computer Spyware Protection Act, seeks to punish individuals who, without the knowledge or permission of the owner, place spyware on another person's computer. Spyware is used primarily for covertly tracking Internet users' movements on the Web and serving pop-up ads to users.

According to Morrison, the bills are necessary as Guam statute is currently limited in protecting Guam residents from these types of crimes.



COMMITTEE ON RULES

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ASSISTANT MAJORITY LEADER

Senator
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Senator
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MINORITY LEADER

Senator
Aline Yamashita
Member

April 15, 2014

VIA E-MAIL

john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 309-32 (COR), 310-32(LS), 311-32(LS), 312-32(LS), 313-32(LS), 314-32(LS), 315-32(LS), 316-32(LS), 317-32(LS), 318-32(LS), 319-32(LS), and 320-32(LS)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
309-32 (COR)	V.C.Pangelinan B. J.F. Cruz	AN ACT TO ADD A NEW SECTION 7 TO CHAPTER I OF PUBLIC LAW 32-068 AND TO REPEAL AND RE-ENACT SECTION 13109(a)(5), CHAPTER 13, TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO PRIORITIZING THE USES OF ADDITIONAL SECTION 30 REVENUES AND TO INCREASE TRANSPARENCY AND ACCOUNTABILITY IN THE REPORTING OF SECTION 30 REVENUES TO BE RECEIVED BY THE GOVERNMENT OF GUAM.
310-32 (LS)	FRANK B. AGUON, JR.	AN ACT TO ADD A NEW §55104, §55104.1, §55104.2, §55104.3 TO CHAPTER 55, DIVISION 3, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE ESTABLISHMENT OF PHYSICAL FITNESS STANDARDS AND POLICIES FOR PUBLIC SAFETY AND LAW ENFORCEMENT UNIFORM PERSONNEL; AND SHALL HENCEFORTH BE KNOWN AS THE “FIT TO SERVE AND PROTECT ACT OF 2014”.
311-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS AVAILABLE IN THE LIMITED GAMING FUND IN FISCAL YEAR 2013-2014 IN ACCORDANCE WITH PUBLIC LAW 32-060.
312-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS IN THE GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY PURSUANT TO PUBLIC LAW 32-060; BY AMENDING SUBSECTION “(B)” OF §97103, CHAPTER 97, ARTICLE 1, TITLE 10, GUAM CODE ANNOTATED.
313-32 (LS)	Brant T. McCreddie V. Anthony Ada Chris M. Dueñas Michael T. Limtiaco Tommy Morrison Aline A. Yamashita, Ph.D. FRANK B. AGUON, JR. Dennis G. Rodriguez, Jr.	AN ACT TO CREATE A NEW ARTICLE 6 TO CHAPTER 90 TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS “THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2014”.
314-32 (LS)	Aline A. Yamashita, Ph.D	AN ACT TO ADD A NEW CHAPTER 81 TO TITLE 21, GUAM CODE ANNOTATED RELATIVE TO CREATING A STREAMLINED AND EXPEDITED PROCESS FOR REZONING REAL PROPERTY FOR CONSTRUCTING SMALL PROJECTS BY PARTIALLY PRIVATIZING THE PROCESS.
315-32 (LS)	Michael F.Q. San Nicolas	AN ACT TO APPROPRIATE TWO HUNDRED NINETY-TWO THOUSAND EIGHT HUNDRED DOLLARS (\$292,800) TO FUND PROGRAMS FOR DRUG AND ALCOHOL TREATMENT SERVICES AND EMERGENCY YOUTH SHELTER FOR HOMELESS, RUNAWAY, AND ABUSED YOUTH, BY ADDING A NEW §11 TO CHAPTER XI OF PUBLIC LAW 32-068.

Bill Nos.	Sponsors	Title
316-32(LS)	Benjamin J.F. Cruz	AN ACT TO REPEAL AND REENACT §3105, CHAPTER 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO RESPONSIBLY RAISING THE MINIMUM WAGE.
317-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 46 OF 9GCA RELATIVE TO THE CRIME OF PHISHING.
318-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE “COMPUTER PROTECTION ACT,”
319-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE “COMPUTER SPYWARE PROTECTION ACT,”
320-32 (LS)	V.C. Pangelinan	AN ACT TO ADD A NEW CHAPTER 53 TO DIVISION 2, AND TO ADD A NEW SECTION 70134 TO CHAPTER 70, DIVISION 3, TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE THE CREATION OF THE GUAM QUALIFIED RETIREMENT PLAN AND TRUST ACT.



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MINORITY LEADER

Senator
Aline Yamashita
Member

April 14, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 318-32(LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 318-32(LS)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 318-32 (LS)

Introduced by:

T. A. Morrison ✓

AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46,
TITLE 9, GUAM CODE ANNOTATED RELATIVE TO
CREATING THE "COMPUTER PROTECTION ACT,"

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2

3 Section 1. A new Article 3 is *added* to Chapter 46 of 9GCA to read:

4

5

"Article 5

6

Computer Protection Act

7 §46.500. Legislative Intent

8 It is the intent of *I Liheslatura* to prohibit a person from using specified protected
9 computers to relay or retransmit commercial electronic mail messages with the intent to
10 deceive or mislead recipients or an electronic mail service provider under specified
11 circumstances; prohibits a person from materially falsifying header information in
12 commercial electronic mail messages under specified circumstances; prohibits a person
13 from registering for electronic mail accounts or domain names under specified
14 circumstances; provides for specified penalties and fines; etc.

15 §46.501. Definitions

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1 (1) In this section the following words have the meanings indicated.

2 (2) “Commercial electronic mail message” means an electronic message sent primarily for
3 the purpose of commercial advertisement or promotion of:

4 (I) A commercial product;

5 (II) A commercial service;

6 (III) The content on an Internet website; or

7 (IV) A website operated for a commercial purpose.

8 (3) “Domain name” means any alphanumeric designation that is registered with or
9 assigned by a domain name registrar, domain name registry, or other domain name
10 registration authority as part of an electronic mail address on the Internet.

11 (4) “Electronic mail service provider” means any person, including an Internet service
12 provider, that is an intermediary in sending and receiving electronic mail and that provides
13 to the public the ability to send or receive electronic mail to or from an electronic mail
14 account or online user account.

15 (5) “Financial institution” means any financial institution of the type supervised under
16 11GCA, whether or not locally-chartered.

17 (6) “Header information” means the source, destination, and routing information attached
18 to an electronic mail message, including the originating domain name and originating
19 electronic mails, and any other information that appears in the line identifying or
20 purporting to identify a person initiating the message, and technical information that
21 authenticates the sender of an electronic mail message for network security or network
22 management purposes.

23 (7) The term “initiate”, when used with respect to a commercial electronic mail message,
24 means to originate or transmit the message or to procure the origination or transmission of

1 the message and does not include actions that constitute routine conveyances of such
2 message.

3 (8) "Internet" means the international computer network of both federal and nonfederal
4 interoperable packet switched data networks.

5 (9) "Internet protocol address" means the string of numbers by which a location on the
6 Internet is identified by routers or other computers connected to the Internet.

7 (10) "Materially falsified" means altered or concealed in a manner that would impair the
8 ability of one of the following to identify, locate, or respond to a person who initiated an
9 electronic mail message or to investigate an alleged violation of this section:

10 (I) A recipient of the message;

11 (II) An Internet access service processing the message on behalf of a recipient;

12 (III) A person alleging a violation of this section; or

13 (IV) A law enforcement agency.

14 (11) "Multiple" means:

15 (I) More than ten (10) commercial electronic mail messages during a twenty four -
16 hour (24-hour) period;

17 (II) More than one hundred (100) commercial electronic mail messages during a
18 thirty-day (30-day) period; or

19 (III) More than one thousand (1,000) commercial electronic mail message during a
20 one-year (1-year) period.

21 (12) "Protected computer" means a computer used in intrastate or interstate
22 communication.

1 (13) "Routine conveyance" means the transmission, routing, relaying, handling, or storing,
2 through an automatic technical process, of an electronic mail message for which another
3 person has identified the recipients or provided the recipients' addresses.

4 **§46.502. Violations** A person may not conspire to or knowingly:

5 (1) Use a protected computer of another to relay or retransmit multiple commercial
6 electronic mail messages with the intent to deceive or mislead recipients or an electronic
7 mail service provider as to the origin of the message;

8 (2) Materially falsify header information in multiple commercial electronic mail messages
9 and intentionally initiate the transmission of the messages;

10 (3) Register, using information that materially falsifies the identity of the actual registrant,
11 for fifteen (15) or more electronic mail accounts or on-line user accounts of two or more
12 domain names and intentionally initiate the transmission of multiple commercial
13 electronic mail messages from one or any combination of accounts or domain names;

14 (4) Falsely represent the right to use five (5) or more Internet protocol addresses and
15 intentionally initiate the transmission of multiple commercial electronic mail messages
16 from the Internet protocol addresses;

17 (5) Access a protected computer of another without authorization, and intentionally
18 initiate the transmission of multiple electronic mail advertisements from or through the
19 protected computer;

20 (6) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting
21 addresses to which a message was transmitted, knowing that:

22 (I) The electronic mail addresses of the recipients were obtained using an automated
23 means from an Internet website or proprietary online service operated by another
24 person; and

1 (II) The website or online service included, at the time the addresses were obtained,
2 a notice stating that the operator of the website or online service will not transfer
3 addresses maintained by the website or online service to any other party for the
4 purposes of initiating or enabling others to initiate electronic mail messages; or

5 (7) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting
6 electronic mail addresses of recipients obtained using an automated means that generates
7 possible electronic mail addresses by combining names, letters, or numbers into numerous
8 permutations.

9 **§46.503. Penalties**

10 (1) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section is guilty of
11 a third degree felony and on conviction is subject to imprisonment not exceeding three (3)
12 years or a fine not exceeding Five Thousand (\$5,000) or both.

13 (2) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section involving
14 the transmission of more than two hundred fifty (250) commercial electronic mail
15 messages during a twenty-four hour (24-hour) period, two thousand five hundred (2,500)
16 commercial electronic mail messages during any thirty-day (30-day) period, or twenty five
17 thousand (25,000) commercial electronic mail messages during any one-year (1-year)
18 period is guilty of a second degree felony and on conviction is subject to imprisonment
19 not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars (\$10,000) or
20 both.

21 (3) A person who violates subsection (B)(3) or (B)(4) of this section involving twenty
22 (20) or more electronic mail accounts or ten (10) or more domain names and intentionally
23 initiates the transmission of multiple commercial electronic mail messages from the
24 accounts or using the domain names is guilty of a second degree felony and on conviction
25 is subject to imprisonment not exceeding five (5) years or a fine not exceeding Ten
26 Thousand Dollars (\$10,000) or both.

1 (4) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section that causes
2 a loss of \$1,000 or more during any one-year (1-year) period is guilty of a felony and on
3 conviction is subject to imprisonment not exceeding three (3) years or a fine not
4 exceeding Five Thousand Dollars (\$5,000) or both.

5 (5) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in concert
6 with three or more other persons as the leader or organizer of the action that constitutes
7 the violation is guilty of a second degree felony and on conviction is subject to
8 imprisonment not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars
9 (\$10,000) or both.

10 (6) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in
11 furtherance of a felony, or who has previously been convicted of an offense under the
12 laws of Guam, another state, or under any Federal law involving the transmission of
13 multiple commercial electronic mail messages is guilty of a second degree felony and on
14 conviction is subject to imprisonment not exceeding ten (10) years or a fine not exceeding
15 Twenty Five Thousand Dollars (\$25,000) or both.

16 (7) A person who violates subsection (b)(6) or (7) of this section is guilty of a felony and
17 on conviction is subject to imprisonment not exceeding one (1) year or a fine not
18 exceeding Five Thousand Dollars (\$5,000) or both.

19 **§46.504. Forfeiture.** In addition to any other sentence authorized by law, the court may
20 direct that a person convicted of a violation of this section forfeit to the territory:

21 (1) Any moneys and other income, including all proceeds earned but not yet received by a
22 defendant from a third party as a result of the defendant's violation of this section; and

23 (2) All computer equipment, computer software, and personal property used in connection
24 with a violation of this section known by the owner to have been used in violation of this
25 section.

1 **§46.504. Civil action by Attorney General.**

2 (1) An action brought under this subsection shall be commenced within two (2) years after
3 the commission of the act.

4 (2) The Attorney General may institute a civil action against a person who violates this
5 section to recover a civil penalty not exceeding:

6 (I) \$25,000 per day of violation; or

7 (II) Not less than Two Dollars (\$2) nor more than Eight Dollars (\$8) per
8 commercial electronic mail message initiated in violation of this section.

9 (III) For any violation of this Act, the amount determined under paragraph (2) may
10 not exceed Two Million Dollars (\$2,000,000).

11 (3) The Attorney General may seek an injunction in a civil action to prohibit a person who
12 has engaged in or is engaged in a violation of this section from engaging in the violation.

13 (4) The attorney general may enforce criminal violations of this section.

14 **§46.505. Lawfulness of electronic mail service provider policies.** Nothing in this
15 section shall be construed to have any effect on the lawfulness of the adoption,
16 implementation, or enforcement by an electronic mail service provider of a policy of
17 declining to transmit, route, relay, handle, or store certain types of electronic mail
18 messages under any other provision of law.

19 **§46.506. Severability.** If any provision of this Act or its application to any person or
20 circumstance is found to be invalid or contrary to law, such invalidity *shall* not affect
21 other provisions or application of this Act which can be given effect without the invalid
22 provisions or application, and to this end the provisions of this Act are severable.