

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

NOV 27 2013

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

32-13-1017
Office of the speaker
Judith T. Won Pat, Ed. D.
Date 11.29.13
Time 10:01am
Received by: [Signature]

2013 NOV 29 AM 11:18 [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 140-32 (COR) "AN ACT TO AMEND SECTION 2 (c), SECTION 3, AND SECTION 4 OF PUBLIC LAW 25-55, RELATIVE TO 911 SURCHARGES" which I signed into law on November 27, 2013 as Public Law 32-096.

Senseramente,

EDDIE BAZA CALVO



I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

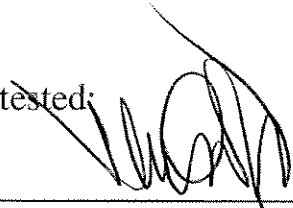
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 140-32 (COR), "AN ACT TO AMEND SECTION 2 (c), SECTION 3, AND SECTION 4 OF PUBLIC LAW 25-55, RELATIVE TO 911 SURCHARGES"**, was on the 12th day of November 2013, 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 15th day of Nov.,
2013, at 11:00 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: NOV 27 2013

Public Law No. 32-096

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 140-32 (COR)

As amended on the Floor.

Introduced by:

Tommy Morrison
Michael T. Limtiaco
Vicente (ben) C. Pangelinan
FRANK B. AGUON, JR.
Michael F. Q. San Nicolas
T. C. Ada
V. Anthony Ada
B. J.F. Cruz
Chris M. Dueñas
Brant T. McCreadie
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND SECTION 2 (c), SECTION 3, AND
SECTION 4 OF PUBLIC LAW 25-55, RELATIVE TO 911
SURCHARGES.**

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

2 **Section 1.** Section 2(c) of Public Law 25-55 is *amended* to read as
3 follows:

4 “(c) The 911 Surcharge *shall* be established by the Commission at a
5 rate *not to exceed* One Dollar (\$1.00) per month per subscriber line
6 telephone service, and at a rate *not to exceed* One Dollar (\$1.00) per month
7 per line number for commercial mobile radio service.”

8 **Section 2.** Section 3 of Public Law 25-55 is *amended* to read as follows:

9 **“Section 3. Collection of “911 Surcharge.”**

10 (a) Each Local Exchange Carrier (LEC), Voice Over Internet
11 Protocol (VOIP) provider and Commercial Mobile Radio Service
12 (CMRS) provider *shall* collect the surcharge as established by the
13 Commission, and identify such as a separate line item on its invoice.

14 (b) Each LEC, VOIP or CMRS provider *shall* remit the
15 amounts collected to the Department of Administration *no later* than
16 forty-five (45) days *after* the end of the month in which the amount is
17 collected.

18 (c) Each LEC, VOIP or CMRS provider *shall* be authorized
19 to deduct from such remittances its actual expenses incurred for
20 collection services, maintaining the PSAP database, and for reports
21 and audits as *may* be required by the Commission; *provided*, such
22 deductions are consistent with a Commission-approved budget for
23 such expenses.

24 (d) The surcharges collected pursuant to this Section are *not*
25 subject to any tax, fee or assessment, *nor* are they considered revenue
26 of the LEC, VOIP or CMRS provider

27 (e) Each LEC, VOIP or CMRS provider is authorized to
28 deduct from its “911” receipts, amounts necessary to cover the
29 Commission's expenses in conducting the regulatory activities
30 required in this Act, to be billed by the Commission on a *pro-rata*
31 basis.

32 (f) For purposes of this Act, a *CMRS provider* means a
33 provider of wireless cellular, telephone service, or wireless personal
34 communications service.

35 (g) *Subscriber lines* are the lines that Incumbent Local
36 Exchange Carriers (I-LEC) use to connect to, and that Competitive
37 Local Exchange Carriers (C-LEC) and Voice Over Internet Protocol
38 (VOIP) carriers use to interconnect to, the local (Guam) telephone
39 exchange.

40 (h) For purposes of this Act, a *VOIP provider* means a
41 provider of telephone service over the internet, and within the 671
42 area code. ”

43 **Section 3.** Section 4 of Public Law 25-55 is *amended* to read as follows:

44 “**Section 4. Creation of Special Fund.** There is hereby created,
45 separate and apart from all other funds of the government, the *Enhanced 911*
46 *Emergency Reporting System Fund* (Fund) to be administered by the
47 Department of Administration. The Fund is created to provide a source of
48 funding for costs associated with an Enhanced 911 Emergency Reporting
49 System. All the 911 surcharges collected by each LEC, VOIP and CMRS
50 provider *shall* be deposited in the Fund. The money collected and the
51 interest earned *shall* be used by the Department *solely* for enhanced 911
52 equipment and system costs as described in this Act; and for the operations
53 of the 911 call/dispatch center, the purchase/lease/maintenance of E911
54 hardware/software; and system/engineering services related to the
55 installation, maintenance and upgrade of E911 hardware/software.
56 Notwithstanding any other provision of law, no monies in the Fund shall be
57 expended without appropriation by *I Liheslatura*. Notwithstanding any
58 other provision of law, no monies in the Fund *shall* be expended for
59 purposes other than provided for in this Section, without the expressed
60 approval of *I Liheslatura*. The Fund is *exempt* from any transfer authority.”

61 **Section 4.** The Compiler of Laws *shall* codify the provisions of Public
62 Law 25-55, inclusive of the amendments made by Sections 1, 2 and 3 of this Act.