

EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam.*

JUN 12 2015

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

Dear Madame Speaker:

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


*Senseramente,*

  
EDDIE BAZA CALVO

2015 JUN 15 PM 1:02

33-15-0527  
Office of the Speaker  
Judith T. Won Pat, Ed.D

0527

06-15-15  
11:13 AM  
Approved By: 

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

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

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

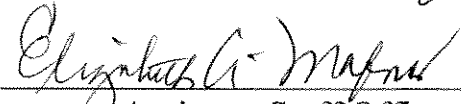


Judith T. Won Pat, Ed.D.  
Speaker

Attested:

  
Tina Rose Muña Barnes  
Legislative Secretary

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

  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date: JUN 10 2015

Public Law No. 33-39



1           **§ 40301. Legislative Statement.**

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

5           **§ 40302. Broadband Access at Community Facilities.**

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

10          **§ 40303. Access Control.**

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

21          **§ 40304. Immunity From Liability.**

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

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

5 **§40305. Authorization to Solicit and Accept Donations.**

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

22 **§ 40306. Severability.**

23 If any provision of this Article or its application to any person or  
24 circumstance is found to be invalid or contrary to law, such invalidity shall  
25 not affect other provisions or application of this Article which can be given  
26 effect without the invalid provisions or application, and to this end the  
27 provisions of this Article are severable.”

1           **Section 2. Notification.** The Mayors Council of Guam *shall* notify all  
2 existing service providers of the stipulations of this Act, and ensure compliance  
3 with the rules and guidelines set forth.

4           **Section 3. Effective Date.** This Act *shall* be effective ninety (90) days  
5 after enactment.