

*I Mina'Trentai Kuåttro Na Liheslaturan*  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
137-34 (LS)	Therese M. Terlaje	AN ACT TO ADD A NEW § 30122 TO CHAPTER 30 OF TITLE 5, GUAM CODE ANNOTATED, AND TO AMEND SECTION 3 OF CHAPTER VII OF PUBLIC LAW 33-185, RELATIVE TO AUTHORIZING THE ATTORNEY GENERAL TO PROCURE EXPERTS IN FEDERAL LITIGATION CASES ON BEHALF OF THE TERRITORY OF GUAM, TO FUND SUCH COSTS.	6/30/17 2:33 p.m.						

***I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN***  
**2017 (FIRST) Regular Session**

Bill No. ~~137~~-34 (LS)

Introduced by:

Therese M. Terlaje 

**AN ACT TO ADD A NEW § 30122 TO CHAPTER 30 OF  
TITLE 5, GUAM CODE ANNOTATED, AND TO AMEND  
SECTION 3 OF CHAPTER VII OF PUBLIC LAW 33-185,  
RELATIVE TO AUTHORIZING THE ATTORNEY  
GENERAL TO PROCURE EXPERTS IN FEDERAL  
LITIGATION CASES ON BEHALF OF THE TERRITORY  
OF GUAM, TO FUND SUCH COSTS**

2017 JUN 30 PM 2:33  
KC

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

**Section 1. Legislative Findings and Intent.**

*I Liheslatura* finds that the Attorney General of Guam, as Chief Legal Officer for the territory under the Organic Act of Guam, is empowered to defend the government of Guam against law suits, and to initiate law suits on behalf of the people of Guam where the public interest of the territory is at issue.

Presently, the Attorney General is appealing the decision of the District Court of Guam striking down the voter registration of native inhabitants to participate in Guam's plebiscite vote as unconstitutional; representing the government of Guam through Guam Behavioral Health & Wellness Center in the Amended Permanent Injunction for the protection of mentally disabled adults on Guam; moving to transition and close the litigation against the government of Guam by the United

1 States involving the closure of Ordot Dump and the construction of the Layon  
2 Landfill; preparing to defend the territory in a threatened law suit by the federal  
3 government concerning the Chamorro Land Trust Commission; representing the  
4 territory in its suit against the Department of Navy for costs associated with the  
5 closure of the Ordot Dump; and preparing to intervene in the suit filed by the Guam  
6 Contractor's Association against the United States regarding absolute denial of H2-  
7 B visas for Guam. Key to the success of these suits is the procurement of experts in  
8 the subject matter field involved in the litigation, as well as attorneys' familiar with  
9 the type of specialized litigation involved. This support of litigation through the  
10 procurement of experts in the field of law and subject matter has proven successful  
11 in the recent closure of the DOC Consent Decree.

12 The intent of this Act is to also provide the OAG with maximum flexibility to  
13 manage the resources appropriated to them based on priorities within the agency.

14 **Section 2.** A new § 30122 is *added* to Chapter 30, Title 5, Guam Code  
15 Annotated, to read:

16 **“§ 30122. Authority of the Attorney General to Procure Experts**  
17 **in Federal Litigation Cases.**

18 Notwithstanding any other provision of law, the Attorney General is  
19 authorized to procure consultants and/or experts, on a sole source basis, as  
20 necessary to pursue all federal litigation for or against the territory of Guam  
21 in pursuit of the public interest under the laws of Guam.”

22 **Section 3. Budgetary Transfer Authority for the Office of the Attorney**  
23 **General.** Section 3 of Chapter VII of Public Law 33-185, is *amended* to read:

24 **“Section 3. Transfer Authority for the OAG.** The OAG may  
25 transfer funds between appropriations ~~designated for Operations Object~~  
26 ~~Categories in Section 2,~~ made to the OAG among object categories, provided,  
27 that OAG notifies *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*

1        *Guåhan no later than* five (5) working days after the transfer is made, and  
2        *except* that no funds shall be transferred to Personnel Object Categories (111  
3        to 113).