


I Mina'trentai Singko Na Liheslaturan Guåhan
 Bill Status

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
2 (1-S)	<u>Committee on Rules</u> By request of <i>I Maga'hagan Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam.	PRUTEHI I HANOM ACT OF 2019 – AN ACT TO PROTECT THE WATERS OF GUAM BY AUTHORIZING THE ACQUISITION OF SPECIALIZED LEGAL SERVICES, ON A CONTINGENCY FEE BASIS, TO ASSIST IN ACTIONS CONCERNING PFAS CONTAMINATION	7/1/19 1:43 p.m.					

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Special Session

Bill No. 2(1-S)

Introduced by:


Committee on Rules
By request of *I Maga'hågan Guåhan*, the
Governor of Guam, in accordance with
the Organic Act of Guam.

**PRUTEHI I HANOM ACT OF 2019 – AN ACT TO
PROTECT THE WATERS OF GUAM BY AUTHORIZING
THE ACQUISITION OF SPECIALIZED LEGAL
SERVICES, ON A CONTINGENCY FEE BASIS, TO
ASSIST IN ACTIONS CONCERNING PFAS
CONTAMINATION ON GUAM.**

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

2 **Section 1. Title.** This Act *shall* be known as the *Prutehi I Hanom* Act of
3 2019.

4 **Section 2. Definitions.** As used in this Act:

5 (a) *Contingency fee* means a sum of money that a lawyer receives as
6 a fee only if the case resolves in favor of the Government of Guam.

7 (b) *PFAS* means a class of chemicals known as per- and
8 polyfluoroalkyl substances.

9 (c) *Legal services* means services to include those from private legal
10 counsel, expert witnesses, and private consultants.

11 **Section 3. Authority.** *Notwithstanding* local procurement law, the Office
12 of the Attorney General is authorized to acquire legal services for the pursuit of legal

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1 remedies for damage(s) to Guam’s waters and/or wastewaters due to PFAS
2 contamination. Such an agreement for legal services *shall* provide:

3 (1) that the parties agree to seek monetary and non-monetary relief,
4 such as remedial relief, in favor of the Government of Guam; and

5 (2) that contingency fees for monetary relief *shall not* exceed Thirty
6 Percent (30%) of the final monetary award obtained and that contingency fees
7 for non-monetary relief *shall* be calculated at a reasonable rate and reasonable
8 hours, as determined by the trial court.

9 Immediately upon execution of an agreement for legal services pursuant to
10 this Act, the Attorney General of Guam *shall* submit such agreement to the
11 Legislature.

12 **Section 4. Retention.** As soon as practicably possible, the Attorney General
13 *shall* digitize and transmit a copy of the portions of the case file, of which disclosure
14 is not specifically prohibited by law, to the Micronesia Area Research Center for
15 archiving on behalf of the government of Guam. At the conclusion of this matter,
16 the Attorney General *shall* submit to the Governor and the Speaker a complete
17 written statement that describes the outcome of the matter, states the amount of any
18 recovery, shows the computation of the amount of the contingent fee, and contains
19 the final complete time and expense records where applicable.

20 **Section 5. Severability.** If any provision of this Act or its application to any
21 person or circumstance is held invalid, the invalidity *shall not* affect other provisions
22 or applications of this Act that can be given effect without the invalid provision or
23 application and to this end the provisions of this Act are severable.