Speaker's Office <speaker@guamlegislature.org>

M&C Fwd: Prutehi I Hanom - Request for Special Session on July 3, 2019 at 10:00 a.m.

1 message

Speaker's Office <speaker@guamlegislature.org> Wed, Jul 3, 2019 at 7:51 AM
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>, Tina Muna Barnes <tinamunabarnes@gmail.com>

07-02-19	9:59 PM	07-03-19	Prutehi I Hanom - Request for Special Session on July 3, 2019 at 10:00 a.m.*	Office of the Governor of Guam	35GL-19-0701

Sinsenru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
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35GL-19-0701
Speaker Tina Rose Muña Barnes

JUL 0 2 2019
Time 9:59 ( )AM ( )PM
Received By: Matt

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

2019 JUL -3 AM 7:56

---------- Forwarded message ---------
From: **Haig Huynh** <haig.huynh@guam.gov>
Date: Tue, Jul 2, 2019 at 9:59 PM
Subject: Prutehi I Hanom - Request for Special Session on July 3, 2019 at 10:00 a.m.
To: <speaker@guamlegislature.org>
Cc: Joshua F Tenorio <joshua.tenorio@guam.gov>, Gov. Lourdes A. Leon Guerrero <governor@guam.gov>, Leevin T. Camacho <lcamacho@guamag.org>

Hafa Adai, Speaker Muna Barnes:

Please see attached letter from the Governor of Guam re *Prutehi I Hanom* and request for special session.

Thank you.

Senseremente,

Haig T. Huynh

Legal Counsel

Office of the Governor of Guam

Ricardo J. Bordallo Governor's Complex

Adelup, Guam

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3 attachments

- **19.0703 GOV to SPEAKER re Prutehi I Hanom.pdf** 460K
- **19.0703 Prutehi I Hanom.docx** 25K
- **19.0703 Prutehi I Hanom.pdf** 148K

0701

HAND-DELIVERED/EMAIL: speaker@guamlegislature.org

July 3, 2019

HONORABLE TINA MUÑA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
Hagåtña, Guam 96910

Re: ***"Prutehi I Hanom – 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."***

Dear Madame Speaker:

Pursuant to my authority under Section 1423h of the Organic Act of Guam, I am again calling *I Liheslaturan Guåhan* into special session on **Wednesday, July 3, 2019 at 10:00 A.M.**, for the sole purpose of considering a bill entitled, *"Prutehi I Hanom – 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,"* which is transmitted to you herewith.

I reiterate the need to act urgently and again request that you exercise your authority pursuant to 2 G.C.A § 2103(a) and make a determination that emergency conditions exist to justify waiver of the public hearing requirement.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure (1)

cc: Lt. Governor of Guam (via email)
Attorney General of Guam (via email)

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

Bill No. 35 (COR)

Introduced by:

_____

At the request of *I Maga'hagan Guahan*, the Governor of Guam, in accordance to the Organic Act of Guam

PRUTEHI I HANOM – 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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Title. This Act shall be known as the *Prutehi I Hanom Act*

Section 2. Definitions. As used in this Act:

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

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

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

Section 3. Authority.

Notwithstanding local procurement law, the Office of the Attorney General is authorized to acquire legal services for the pursuit of legal remedies for damage(s)

to Guam's waters and/or wastewaters due to PFAS contamination. Such an agreement for legal services shall provide:

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

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

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

Section 4. Retention. At the conclusion of this matter, the Attorney General shall submit to the Governor and the Speaker a complete written statement that describes the outcome of the matter, states the amount of any recovery, shows the computation of the amount of the contingent fee, and contains the final complete time and expense records where applicable. Shortly thereafter, the Attorney General shall also digitize and transmit a copy of the portions of the case file, of which disclosure is not specifically prohibited by law, to the Micronesia Area Research Center for archiving on behalf of the government of Guam.

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