

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session

Bill No. 229 (CS)

Introduced by:

J. A. Lujan

AN ACT TO AMEND TITLE 10 GUAM CODE ANNOTATED  
SUBSECTION 80108(d), TO CLARIFY PUBLIC POLICY ON  
ATTORNEY SERVICES FOR GUAM MEMORIAL HOSPITAL  
AUTHORITY

4:15 P/A  
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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Current law authorizing the Guam Memorial Hospital Authority Board of  
3 Trustees to retain an attorney has been liberally construed to include retaining a law firm. Other  
4 autonomous agencies with similar authority to hire an attorney, such as Guam Power Authority  
5 and Guam Waterworks Authority, have fulfilled the intent of their respective laws by recruiting  
6 an in-house attorney as a member of their staff, resulting in substantial cost savings to the  
7 agencies. This Act clarifies the intent of the subsection that authorizes the Guam Memorial  
8 Hospital Authority to hire an individual person to serve as its staff attorney.

9 Section 2. Title 10 Guam Code Annotated, Subsection 80108(d) is amended to read as  
10 follows:

11 “(d) The Attorney, who must have been admitted to practice before the highest court of  
12 Guam, shall be an employee of the Authority, and shall devote his full time to the matters of the  
13 Authority. He shall receive all employment benefits normally accorded to Authority employees  
14 similarly situated. He shall advise the Board and the Administrator on all legal matters to which  
15 the hospital is a party or in which the hospital is legally interested, and may represent the hospital  
16 in connection with legal matters before the Legislature, boards and other agencies of the  
17 Territory and before courts in any jurisdiction. The power granted to the Attorney by this  
18 Subsection shall not be in derogation or diminution of the duty imposed upon the Attorney  
19 General by §80104(e) of this Article.”