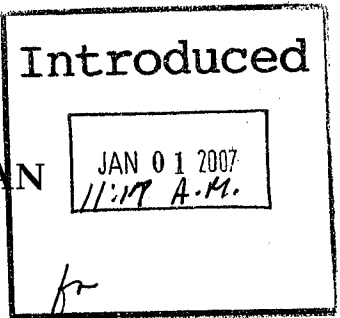



MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2007 (FIRST) Regular Session



Bill No. 13(48)

Introduced by:

J. T. Won Pat 

AN ACT TO ADD A NEW SECTION 8220 OF  
ARTICLE 2, CHAPTER 8 OF TITLE 4 G.C.A.  
RELATIVE TO THE FORFEITURE OF RETIREMENT  
BENEFITS OF CLASSIFIED OR UNCLASSIFIED  
EMPLOYEES OR RETIREES OF THE  
GOVERNMENT OF GUAM FOUND GUILTY OF  
PUBLIC CORRUPTION.

1           BE IT ENACTED BY THE PEOPLE OF GUAM:

2           Section 1. A new Section 8220, Article 2, Chapter 8 of Title 4 G.C.A.  
3 is hereby added to read as follows:

4           "§8220. Forfeiture of Retirement Benefits. (a) No employee,  
5 whether in the classified or unclassified service or a retiree of the government  
6 of Guam shall be entitled to receive retirement benefits from the government  
7 of Guam, if such employee or retiree is convicted of a felony in a local or  
8 federal court involving a bribe, embezzlement, extortion, theft of public  
9 money, theft of public property, perjury, or conspiracy to commit any of those  
10 crimes arising directly out of his or her employment in the government of  
11 Guam.

1           (b) Upon initial conviction, or upon a plea of guilty or nolo  
2     contendere, if the classified or unclassified employee is not currently receiving  
3     retirement benefits, the retirement fund shall refund employee contributions  
4     to the forfeited employee.

5           (c) Upon initial conviction, or upon a plea of guilty or nolo  
6     contendere, if the retiree is currently receiving retirement benefits, the  
7     retirement fund shall cease paying the retirement benefits and shall refund the  
8     retiree contributions to the forfeited retiree less any retirement benefits  
9     amounts already received.

10          (d) In the event the conviction of the classified or unclassified  
11     employee or retiree is later overturned in any court or granted a full pardon,  
12     the employee or retiree shall be restored to all rights, privileges and  
13     retirement benefits as if the conviction had never occurred.

14          (e) If the unclassified employee is currently receiving retirement  
15     benefits from the government of Guam due to previous employment but had  
16     subsequently returned to public employment while continuing to receive the  
17     retirement benefits, this section shall not affect the retirement benefits related  
18     to the previous employment if the crime did not arise from conduct related to  
19     the previous employment.

20          (f) The provisions of this section apply to crimes committed on or  
21     after the effective date of this act.”

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