

I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 395 - *21/1/2011*

Introduced by:

Sam Mabini, Ph.D. *SM*
B.J.F. Cruz *B.J.F.*

AN ACT TO AMEND §4111, TITLE 4 GUAM CODE
ANNOTATED, CHAPTER 4, RELATIVE TOLUMP SUM
PAYMENTS FOR ANNUAL LEAVE.

FILED IN THE OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Mina 'Trentai Unu Na Liheslaturan* finds that with the financial shortfalls of the Government of Guam, any type of cash payouts will jeopardize fiscal responsibility by depleting cash on hand.

I Liheslaturan finds that there needs to be a mechanism to ensure that the Government of Guam be fiscal responsible with cash on hand.

Section 2: §4111, Chapter 4 Title 4 Guam Code Annotated is amended to read as follows:

“§4111. Lump Sum Payment for Annual Leave.

Notwithstanding any other provision of law and subject of the availability of funds, an employee of the Government entitled to annual vacation leave may, prior to his taking of any such leave, receive a lump sum payment in cash equivalent to the amount of leave authorized to be taken receive a cash equivalent payment. A payment schedule of twenty percent (20%) of total amount to be paid no sooner than 30 days after physically vacating their position. The remainder of the amount left shall be paid at twenty percent (20%) each month thereafter until total amount is paid in full. In the event that the same employee is reinstated into the same position vacated or into another position in the Government within 30 days of vacating former position, payment schedule of annual vacation leave cash equivalent shall be terminated.”

Section 3: Effective Date. This Act shall take effect upon enactment.

Section 4: Severability. If any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Law which can be given effect without the invalid provisions or applications, and to this end the provisions of this Law are severable.