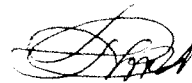


I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

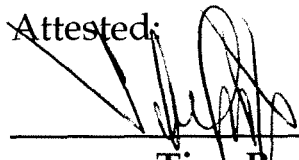
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 308 (EC), "AN ACT TO AMEND §8127(a) OF ARTICLE 1 OF CHAPTER 8 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO MEDICAL EXAMINATION REQUIREMENTS FOR GOVERNMENT OF GUAM DISABILITY RETIREMENT," was on the 14th day of August, 2008, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 15 day of Aug. 2008, at 2:44 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 308 (EC)

As amended by the author and
further amended on the Floor.

Introduced by:

v. c. pangelinan
J. T. Won Pat, Ed. D.
Tina Rose Muña Barnes
Dr. David L.G. Shimizu
Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith P. Guthertz, DPA
Frank T. Ishizaki
J. A. Lujan
A. B. Palacios, Sr.
R. J. Respicio
Ray Tenorio

**AN ACT TO *AMEND* §8127(a) OF ARTICLE 1 OF CHAPTER 8
OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO
MEDICAL EXAMINATION REQUIREMENTS FOR
GOVERNMENT OF GUAM DISABILITY RETIREMENT.**

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

2 **Section 1.** §8127 (a) of Article 1 of Chapter 8 of Title 4, Guam Code
3 Annotated, is hereby *amended* to read:

4 “§8127. **Same: Resumption of Employment.** (a) Following the
5 allowance of a disability annuity to any member, the Board of Trustees *shall*
6 require any disability annuitant to undergo two (2) medical examinations during

1 the first seven (7) years under disability retirement and may require additional
2 medical examination at least once in every five (5) year period thereafter, to be
3 made at a place mutually agreed upon, by a physician *or* physicians engaged by the
4 Board.

5 The medical examination *shall* not be required after the member, under the
6 member's applicable retirement plan, reaches regular retirement age *or* where
7 years of actual service plus actual years on disability equals the amount of years
8 that would qualify the member to retire as a regular retiree, whichever is earlier. *If*
9 any examination indicates that the annuitant is no longer physically *or* mentally
10 incapacitated for service, *or* that he is engaged *or* is able to engage in a gainful
11 occupation, payment of the disability annuity by the Fund shall be discontinued as
12 soon as the disability annuitant is reinstated to the payroll, but in no case *shall*
13 payments be made for more than sixty (60) days after physicians and a medical
14 consultant engaged by the Board find the annuitant is no longer incapacitated for
15 service."

16 **Section 2. Severability.** *If* any of the provisions of this Act or the
17 application thereof to any person or circumstance is held invalid, such invalidity
18 shall *not* affect any other provision or application of this Act which can be given
19 effect without the invalid provision or application, and to this end the provisions of
20 this Act are severable.