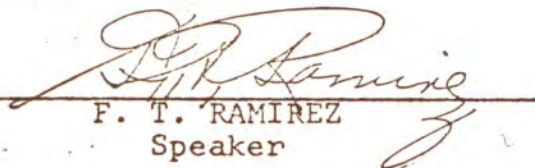


TWELFTH GUAM LEGISLATURE  
1974 (SECOND) Regular Session


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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 863, "An Act to amend Subsections (b) and (c) of Section 4212, Subsections (b), (c) and (d) of Section 4217.1, and Item 2 of Subsection (a) of Section 4217.1, all of the Government Code of Guam, and to add a new Subsection (d) to said Section 4212, to enlarge the automatic increases in government of Guam disability and survivor annuities, and to increase the basic annuity for minor children of deceased government employees; and for other purposes relative to amending the Retirement Law", was on the 27th day of September, 1974, duly and regularly passed.

  
F. T. RAMIREZ  
Speaker

ATTESTED:

  
G. M. BAMBA  
Legislative Secretary

-----  
This Act was received by the Governor this 3rd day  
of October, 1974 at 11:00 o'clock a.M.

/s/ KEITH L ANDREWS  
-----  
KEITH L. ANDREWS  
Attorney General of Guam

APPROVED:

751  
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CARLOS G. CAMACHO  
Governor of Guam

DATED: 10/12/74  
9:26 am

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TWELFTH GUAM LEGISLATURE  
1974 (SECOND) Regular Session

Bill No. 863  
Substitute Bill by  
Committee on General  
Governmental Operations

Introduced by A. L. Cristobal

AN ACT TO AMEND SUBSECTIONS (b) AND (c)  
OF SECTION 4212, SUBSECTIONS (b), (c) AND  
(d) OF SECTION 4217.1, AND ITEM 2 OF SUB-  
SECTION (a) OF SECTION 4217.1, ALL OF THE  
GOVERNMENT CODE OF GUAM, AND TO ADD NEW  
SUBSECTION (d) TO SAID SECTION 4212, TO  
ENLARGE THE AUTOMATIC INCREASES IN GOVERN-  
MENT OF GUAM DISABILITY AND SURVIVOR  
ANNUITIES, AND TO INCREASE THE BASIC ANNUITY  
FOR MINOR CHILDREN OF DECEASED GOVERNMENT  
EMPLOYEES; AND FOR OTHER PURPOSES RELATIVE  
TO AMENDING THE RETIREMENT LAW.

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

2 Section 1. Subsections (b) and (c) of Section 4212 of  
3 the Government Code of Guam are hereby repealed and reenacted  
4 and a new Subsection (d) is hereby added to said section, all  
5 to read as follows:

6 "(b) Effective December 1, 1974, any member who  
7 retires from service and is entitled to receive disability  
8 retirement benefits after December 1, 1972, shall receive  
9 each year on the anniversary date of his retirement or  
10 entitlement, an automatic increase in his annual annuity,  
11 to be computed as follows:

12 1. Disability annuitants receiving an annual  
13 annuity of Three Thousand Dollars (\$3,000) or less  
14 shall receive an automatic annual increase of Five  
15 Hundred Dollars (\$500);

16 2. Disability annuitants receiving an annual  
17 annuity of more than Three Thousand Dollars (\$3,000),  
18 but not more than Six Thousand Dollars (\$6,000) shall  
19 receive an automatic annual increase of Three  
20 Hundred Dollars (\$300);

1           3. Disability annuitants receiving an annual  
2 annuity of more than Six Thousand Dollars (\$6,000)  
3 but not more than Ten Thousand Dollars (\$10,000)  
4 shall receive an automatic annual increase of Two  
5 Hundred Dollars (\$200); and

6           4. Disability annuitants receiving an annual  
7 annuity of more than Ten Thousand Dollars (\$10,000),  
8 shall receive an automatic annual increase of One  
9 Hundred Dollars (\$100).

10          (c) Any disability annuitant who had his annuity  
11 recomputed as of December 1, 1972, shall receive an auto-  
12 matic increase in his annual annuity as computed in Sub-  
13 section (b) of this section, on December 1, 1974, and  
14 each year thereafter.

15          (d) Any disability annuitant who received less than  
16 Six Thousand Dollars (\$6,000) salary during his employ-  
17 ment shall have his annuity recomputed at Six Thousand  
18 Dollars (\$6,000.00) minimum basic salary effective  
19 November 30, 1974 and have his annuity increased annually  
20 as computed in Subsection (b) of this section."

21          Section 2. Subsections (b), (c) and (d) of Section 4217.1  
22 of the Government Code of Guam are hereby repealed and reenacted  
23 to read as follows:

24          "(b) Automatic increases in annuity. Effective  
25 September 1, 1974, any survivor annuitant who first becomes  
26 entitled to receive benefits after September 1, 1972,  
27 shall receive, each year on the anniversary date of his  
28 retirement or entitlement, an automatic increase in his  
29 annual annuity, to be computed as follows:

30           1. Survivor annuitants receiving an annual  
31 annuity of Three Thousand Dollars (\$3,000) or less  
32 shall receive an automatic annual increase of Five  
33 Hundred Dollars (\$500);

1                   2. Survivor annuitants receiving an annual  
2 annuity of more than Three Thousand Dollars (\$3,000)  
3 but not more than Six Thousand Dollars (\$6,000), shall  
4 receive an automatic annual increase of Three Hundred  
5 Dollars (\$300);

6                   3. Survivor annuitants receiving an annual  
7 annuity of more than Six Thousand Dollars (\$6,000)  
8 but not more than Ten Thousand Dollars (\$10,000),  
9 shall receive an automatic annual increase of Two  
10 Hundred Dollars (\$200); and

11                   4. Survivor annuitants receiving an annual  
12 annuity of more than Ten Thousand Dollars (\$10,000),  
13 shall receive an automatic annual increase of One  
14 Hundred Dollars (\$100).

15                   (c) Recomputation of annuities. Any person receiving  
16 a survivor annuity prior to August 31, 1974, shall have  
17 his basic annuity recomputed based upon the formula set  
18 forth in Subsections 4203(j), 4211(a)(1) and (2), 4212(d),  
19 and 4217.1(a)(1) and (b).

20                   (d) Automatic increases in recomputed annuities. Any  
21 survivor annuitant who has had his or her basic annuity  
22 recomputed and established pursuant to Subsection (c) of  
23 this section shall on September 1, 1974, and each year  
24 thereafter receive an automatic increase in his annual  
25 annuity as computed in Subsection (b) of this section."

26                   Section 3. Item 2 of Subsection (a) of Section 4217.1 of  
27 the Government Code of Guam is hereby amended to read as  
28 follows:

29                   "2. Children. The basic annual annuity shall be One  
30 Thousand Eighty Dollars (\$1,080) per year for a minor  
31 child up to eighteen (18) years of age. The total basic  
32 annual annuity for children shall not, in any case,

1 . exceed Three Thousand Two Hundred Forty Dollars (\$3,240)  
2 per year for three (3) or more minor children."

3 Section 4. Section 4207(b) of the Government Code of Guam  
4 is hereby amended to read as follows:

5 "(b) Subsequent service. An employee shall be allowed  
6 credit for any active service in the Armed Forces of the  
7 United States subsequent to May 1, 1951, not to exceed  
8 five (5) years, provided the employee shall not be  
9 receiving a pension or annuity, other than a disability  
10 pension or annuity, from the United States Government on  
11 account of such service; and provided further, that if the  
12 employee entered the Armed Forces while employed by the  
13 government of Guam and re-enters its employ within the  
14 period of one (1) year following his discharge from said  
15 Armed Forces under conditions other than dishonorable, or,  
16 if upon said discharge, completes his education under the  
17 provisions of the various Acts of Congress extending  
18 educational benefits to veterans and re-enters its employ  
19 within six (6) months after completing such education,  
20 such employee may obtain said retirement credit (not to  
21 exceed five (5) years) without making contribution to the  
22 Fund. If the employee was not employed by the government  
23 of Guam upon entering the Armed Forces he may obtain said  
24 retirement credit (not to exceed three (3) years) only  
25 upon making payment to the Fund of two (2) times the  
26 appropriate member contribution based on the period of  
27 credit sought to be obtained and the average salary paid  
28 to the employee by the Armed Forces during that period  
29 ending with the termination of his military service which  
30 is equal to the period of credit sought to be obtained.  
31 For purposes of this section, salary means (1) basic pay  
32 and (2) any special pay which was taxable under federal  
33 income tax law."

1           Section 5. Section 4207.8 of the Government Code of Guam  
2 is hereby amended to read as follows:

3           "Section 4207.8. Credit for subsequent civil service.

4           Any person who was a member of the Civil Service of the  
5 United States of America after May 1, 1951 and who was  
6 subsequently employed by the government of Guam, shall be  
7 entitled to credit for services rendered the United States  
8 Government after that date, not to exceed five (5) years.  
9           In the case of any such person who was a member of the  
10 Retirement Fund of the United States Government, credit  
11 shall be granted only when he (1) definitely and finally  
12 terminates his membership in such fund; (2) definitely and  
13 finally renounces any future benefits due him thereunder;  
14 (3) receives a refund of his accumulated contributions  
15 therefrom; and (4) make a payment to the Fund of the  
16 equivalent of the amount paid to the Federal fund by  
17 him and his employer during the last five (5) years of his  
18 employment in the Civil Service or during the period ending  
19 with the termination of said employment which is equivalent  
20 to the period for which he seeks credit if less than  
21 five (5) years, including regular interest from the date  
22 of such termination to the date of payment."

23           Section 6. Section 4207.9 of the Government Code of Guam  
24 is hereby amended to read as follows:

25           "Section 4207.9. Credit for education. Any bona fide  
26 resident of Guam, who receives his graduate or under-  
27 graduate degree from an accredited institution and is  
28 employed by the government of Guam within one (1) year  
29 after obtaining such degree, may claim retirement credit  
30 equal to the period of time, including vacations, which  
31 a full-time student would normally take to complete the  
32 program leading to the degree he received, or any lesser

1 period he may elect to claim, by paying to the Fund  
2 the appropriate member's and employer's shares based on  
3 the period of credit sought to be obtained and his  
4 salary when he begins employment with the government of  
5 Guam; provided, however, that this section shall apply  
6 only to those persons who received their degrees after  
7 June 1, 1950."

8 Section 7. A new Section 4209.3 is hereby added to the  
9 Government Code of Guam to read as follows:

10 "Section 4209.3. Prohibition against double credit for  
11 same period of time. Should a member, for a specific  
12 period of time, be entitled to more than one of the types  
13 of credit authorized by this Chapter, he shall be allowed  
14 to obtain for said period of time only one type of credit,  
15 according to his election."

16 Section 8. The first paragraph of Section 4213 of the  
17 Government Code is hereby amended to read as follows:

18 "Section 4213. Refund on separation. Upon complete  
19 separation from service before a member shall have com-  
20 pleted at least twenty (20) years total service, the  
21 member shall be entitled to receive a refund of his total  
22 contributions, including regular interest, but no payment  
23 of interest shall be made in any case in which total  
24 service is less than one (1) year. Total contributions  
25 shall include all contributions made by the member to  
26 obtain various types of credit authorized by this Chapter."