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JAN 08 2000

The Honorable Antonio R. Unpingco Speaker I Mina'Bente Singko na Liheslaturan Guåhan Twenty-Fifth Guam Legislature Guam Legislature Temporary Building 155 Hesler Street Hagåtña, Guam 96910

Dear Speaker Unpingco:

Enclosed please find Bill No. 373 (COR), "AN ACT TO AMEND P.L. NO. 25-98, RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIREMENT", which I have signed into law today as Public Law No. 25-99.

Very truly yours,

Carl T. C. Gutierrez I Maga'Lahen Guåhan

Governor of Guam

Attachment:

copy attached for signed bill or overridden bill

original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown

Legislative Secretary

00603

Roc'd by Print Name

OSAS : 0-0369

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 2000 (SECOND) Regular Session

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

This is to certify that Bill No. 373 (COR) "AN ACT TO AMEND P.L. NO. 25-98, RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIREMENT," was on the 3rd day of January 2000, duly and regularly passed.

ANTONIO R. UNPINGCO Speaker Attested: **JOANNE M.S. BROWN** Senator and Legislative Secretary This Act was received by I Maga'lahen Guahan this _____ day of _____ day of ______ at 1:30 o'clock 1.M. Maga'lahi's Office APPROVED: CARL T. C. GUTIERREZ I Maga'lahen Guahan Date: 1-8-00 Public Law No. <u>25</u>-99

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 2000 (SECOND) Regular Session

Bill No. 373 (COR)

As amended by the Author.

Introduced by:

Mark Forbes

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F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

E. B. Calvo

M. G. Camacho

L. F. Kasperbauer

A. C. Lamorena, V

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

S. A. Sanchez, II

A. R. Unpingco

AN ACT TO AMEND P.L. NO. 25-98, RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIREMENT.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Section 8 of Public Law Number 25-98 is hereby amended to
- 3 read as follows:
- 4 "Section 8. Amendment to Early Retirement Incentive
- 5 Program. (a) Method of Computing Payments Due From Retirees

Opting to Retire Early. Contributions required from employees of the government of Guam who are retiring from government service under the early retirement provisions of Public Law Numbers 25-72, 25-74 and 25-90, and who are as a consequence purchasing additional years of service credit pursuant to those laws, shall be computed on the basis of the salary the employee is earning at the time the employee applies for the credit. Notwithstanding any other provision of law, such salary shall *not* include any annual leave lump sum payment paid to the employee. Such contributions shall *not* be computed on the basis of the average of the employee's top three (3) salary years during their service career, or any other alternative basis.

(b) Annuitant to Receive Immediate Full Credit For All Service Purchased. Any individual who retires and purchases additional years of service credit subject to the provisions of Public Law Numbers 25-72, 25-74 and 25-90 is entitled to the full application of such additional years of service immediately upon their retirement, regardless of when a promissory note is finalized between the Retirement Fund and the retiree. Should the Retirement Fund be unable to consummate a promissory note simultaneous to the separation of the employee from government service or their retirement from the government of Guam, the Retirement Fund shall retroactively apply the annuity based on the additional years of service.

of Separation from Government Service. Notwithstanding the policies or procedures of the Government of Guam Retirement Fund, the date at which a teacher separates from government service under the Early Retirement provisions of Public Law Numbers 25-72, 25-74 and 25-90 shall also be considered their date of retirement and all annuities due to the retiring teacher shall be due to that teacher as of that date."

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagåtña, Guam 96910



2000 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Singko Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the people and therefore waive the statutory requirements for a public hearing on Bill Number 373 (COR), "AN ACT TO AMEND PUBLIC LAW 25-98 RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIRMENT," which was introduced on this date, January 3, 2000, and therefore waive the statutory requirements for a public hearing on Bill Number 373 (COR).

OR. UNPINGCO

Speaker

Dated:

January 3, 2000

CLERK OF THE LEGISLATURE

TRANSMISSION CHECKLIST TO I MAGA'LAHEN GUAHAN
(Included in File w/ All Bills Transmitted)
BILL NO.

FINAL PROOF-READING OF BLUEBACK COPY

	Initialed by:	and Date:	
	ENGROSSED SIGN"*" I	CATION MATCHES BILL CAPTION REMOVED FROM BILL SORSHIP OR CONFIRM OTHERWISE ED BY SPEAKER & LEGIS. SECRETARY	
Confi	irmed By:	Dated:	
	TO THE GOVERNOR. (BLUEBACK (ORIGINAL & COPY) DANNY, ROBERT OR OTHERS W/ ORIGINAL BLUEBACK DESK. (Same copy given to Susan)	
	FILED by: Danny, Rober	t or others	

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagåtña, Guam 96910



January 3, 2000

The Honorable Carl T.C. Gutierrez I Maga'lahen Guåhan Ufisinan I Maga'lahi Hagåtña, Guam 96910

Dear Maga'lahi Gutierrez:

Transmitted herewith is Bill No. 373(COR) which was passed by *I Mina'Bente Singko Na Liheslaturan Guåhan* on January 3, 2000.

Sincerely,

JOANNE M.S. BROWN

Senator and Legislative Secretary

Enclosure (1)

7:30 pm 1/3/00

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 2000 (SECOND) Regular Session

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

This is to certify that Bill No. 373 (COR) "AN ACT TO AMEND P.L. NO. 25-98, RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIREMENT," was on the 3rd day of January 2000, duly and regularly passed.

ANTONIO R. UNPINGCO Speaker Attested: JOANNE M.S. BROWN Senator and Legislative Secretary 0'clock _____.M. Maga'lahi's Office APPROVED: CARL T. C. GUTIERREZ I Maga'lahen Guahan Date: _ ____ Public Law No. _____

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MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 2000 (SECOND) Regular Session

Bill No. 373 (COR)

As amended by the Author.

Introduced by:

Mark Forbes

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

E. B. Calvo

M. G. Camacho

L. F. Kasperbauer

A. C. Lamorena, V

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

S. A. Sanchez, II

A. R. Unpingco

AN ACT TO AMEND P.L. NO. 25-98, RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIREMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Section 8 of Public Law Number 25-98 is hereby amended to
- 3 read as follows:
- 4 "Section 8. Amendment to Early Retirement Incentive
- Program. (a) Method of Computing Payments Due From Retirees

Opting to Retire Early. Contributions required from employees of the government of Guam who are retiring from government service under the early retirement provisions of Public Law Numbers 25-72, 25-74 and 25-90, and who are as a consequence purchasing additional years of service credit pursuant to those laws, shall be computed on the basis of the salary the employee is earning at the time the employee applies for the credit. Notwithstanding any other provision of law, such salary shall *not* include any annual leave lump sum payment paid to the employee. Such contributions shall *not* be computed on the basis of the average of the employee's top three (3) salary years during their service career, or any other alternative basis.

(b) Annuitant to Receive Immediate Full Credit For All Service Purchased. Any individual who retires and purchases additional years of service credit subject to the provisions of Public Law Numbers 25-72, 25-74 and 25-90 is entitled to the full application of such additional years of service immediately upon their retirement, regardless of when a promissory note is finalized between the Retirement Fund and the retiree. Should the Retirement Fund be unable to consummate a promissory note simultaneous to the separation of the employee from government service or their retirement from the government of Guam, the Retirement Fund shall retroactively apply the annuity based on the additional years of service.

of Separation from Government Service. Notwithstanding the policies or procedures of the Government of Guam Retirement Fund, the date at which a teacher separates from government service under the Early Retirement provisions of Public Law Numbers 25-72, 25-74 and 25-90 shall also be considered their date of retirement and all annuities due to the retiring teacher shall be due to that teacher as of that date."

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TONO R. UNPINGCO

Speaker

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagåtña, Guam 96910



2000 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Singko Na Liheslaturan Guāhan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the people and therefore waive the statutory requirements for a public hearing on Bill Number 373 (COR), "AN ACT TO AMEND PUBLIC LAW 25-98 RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIRMENT," which was introduced on this date, January 3, 2000, and therefore waive the statutory requirements for a public hearing on Bill Number 373 (COR).

Dated:

January 3, 2000

MINA' BENTE SINGKO NA LIHESŁATURAN GUÅHAN

TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagåtña, Guam 96910



2000 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina Bente Singko Na Liheslaturan Guahan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the people and therefore waive the statutory requirements for a public hearing on Bill Number 373 (COR), "AN ACT TO AMEND PUBLIC LAW 25-98 RELATIVE TO THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIRMENT," which was introduced on this date, January 3, 2000, and therefore waive the statutory requirements for a public hearing on Bill Number 373 (COR).

Dated:

January 3, 2000

ANTONIO R. UNPINGCO Speaker

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

1999 (FIRST) Regular Session

Date: 1/3/00

VOTING SHEET

A Bill No. 373					
Resolution No.					
Question:					
NAME	YEAS	<u>NAYS</u>	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	<u>ABSENT</u>
AGUON, Frank B., Jr.	V				
BERMUDES, Eulogio C.	V				
BLAZ, Anthony C.	,				
BROWN , Joanne M.S.	L				
CALVO, Eduardo B.	V				
CAMACHO, Marcel G.	V				
FORBES, Mark	L'ortenne				
KASPERBAUER, Lawrence F.					
LAMORENA, Alberto C., V	L. ~				
LEON GUERRERO, Carlotta A.					
MOYLAN, Kaleo Scott	<u> </u>		l		
PANGELINAN, Vicente C. /	2				
SALAS, John C. /	_L				
SANCHEZ, Simon A., II	V				
UNPINGCO, Antonio R.					
TOTAL	13				/
CERTIFIED TRUE AND CORRECT:			t	k D	
Clerk of the Legislature			E	k 3 Passes = No EA = Excused A	vote bsence

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 1999 (FIRST) Regular Session

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3 20 %

Bill No (COR)	/
Introduced by:	Mark Forbes

AN ACT TO AMEND PUBLIC LAW 25-98 RELATIVE TO CLARIFYING THE CALCULATION OF AN EMPLOYEE'S SALARY FOR EARLY RETIRMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

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- **Section 1.** Section 8 of Public Law 25-98 is amended to read:
- 3 "Section 8. Amendment to Early Retirement Incentive Program.
 - (a) Method of Computing Payments Due From Retirees Opting to Retire Early. Contributions required from employees of the government of Guam who are retiring from government service under the early retirement provisions of Public Law Numbers 25-72, 25-74 and 25-90, and who are as a consequence purchasing additional years of service credit pursuant to those laws, shall be computed on the basis of the salary the employee is earning at the time the employee applies for the credit. Notwithstanding any other provision of law, such salary shall not include any annual leave lump sum payment paid to the

<u>employee</u>. Such contributions shall *not* be computed on the basis of the average of the employee's top three (3) salary years during their service career, or any other alternative basis.

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- (b) Annuitant to Receive Immediate Full Credit For All Service Purchased. Any individual who retires and purchases additional years of service credit subject to the provisions of Public Law Numbers 25-72, 25-74 and 25-90 is entitled to the full application of such additional years of service immediately upon their retirement, regardless of when a promissory note is finalized between the Retirement Fund and the retiree. Should the Retirement Fund be unable to consummate a promissory note simultaneous to the separation of the employee from government service or their retirement from the government of Guam, the Retirement Fund shall retroactively apply the annuity based on the additional years of service.
- (c) Retirement Date for Teachers Shall be on Their Date from Government Service. Notwithstanding the policies or procedures of the Government of Guam Retirement Fund, the date at which a teacher separates from government service under the Early Retirement provisions of Public Law Numbers 25-72, 25-74 and 25-90 shall also be considered their date of retirement and all annuities due to the retiring teacher shall be due to that teacher as of that date."