



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

MAY 18 2001

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guáhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

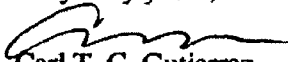
Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 042 (LS) entitled: "AN ACT TO AMEND §8134(a) OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO SURVIVOR ANNUITIES" which I have signed into law as **Public Law No. 26-10**.

Current law provides for survivor annuities for children of deceased Government of Guam Retirement Fund members who are under the age of 18 at the time of the death of the member. In fact, if the child is under the age of 18 at the time of the death of the parent, the child may continue to qualify as long as they are in school full time, up to the age of 24.

The change in this legislation authorizes children who are still attending high school at the time of the death of the member-parent, and who are over the age of 18, to also continue to qualify as long as they are in school full time, up to the age of 24. This would apply to that small group of high school students who turn 18 prior to their graduation and who lose a parent prior to their graduation.

Very truly yours,


Carl T. C. Gutierrez
I Maga'Lahen Guáhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco
Speaker

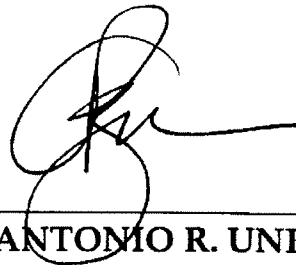
01/88

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>JS</u>
Time	<u>11:02 P-</u>
Date	<u>5/18/01</u>

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session


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

This is to certify that Substitute Bill No. 042 (LS) " AN ACT TO AMEND §8134(a) OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO SURVIVOR ANNUITIES," was on the 11th day of May, 2001, duly and regularly passed.



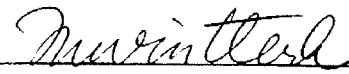
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 14~~th~~ day of May, 2001,
at 4:15 o'clock p.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahen Guåhan

Date: 5-18-01

Public Law No. 26-10

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 42 (LS)

As substituted by the Committee
on Ways and Means and amended
on the Floor.

Introduced by:

V. C. Pangelinan
L. A. Leon Guerrero
J. T. Won Pat
Mark Forbes
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
L. F. Kasperbauer
K. S. Moylan
A. L. G. Santos
A. R. Unpingco

**AN ACT TO AMEND §8134(a) OF TITLE 4 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
SURVIVOR ANNUITIES.**

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

2 **Section 1.** Section 8134(a) of Article 1, Chapter 8 of Title 4 of the Guam
3 Code Annotated is hereby *amended* to read as follows:

4 **"Section 8134. Survivor Annuities.**

1 **(a) Payment to Surviving Spouse and Minor Children of**
2 **a Member.** Upon death of a member, while in service, having
3 completed *at least* three (3) years of total service, *if* a surviving
4 spouse or minor children survive the member, the following
5 annuities shall be payable:

6 (1) *If* a spouse survives, an annuity shall begin as of
7 the date of the death of the member. The annuity shall
8 terminate upon the death of the surviving spouse or upon
9 remarriage of a spouse under the age of forty (40) years,
10 whichever event first occurs; *provided*, that *if* remarriage
11 occurs at age forty (40) or over, this restriction shall *not* be
12 applicable.

13 (2) *If* both the surviving spouse and minor child or
14 children under age eighteen (18), or child or children over
15 age eighteen (18) attending high school as of the date of the
16 death of the member, survive the member, an annuity shall
17 begin *immediately* upon death of the member. *Except* as
18 provided for in Paragraph (4) of this Subsection, the
19 allowance for a minor child or children shall be payable until
20 the child's or children's:

21 (i) attainment of age eighteen (18) or
22 graduation from high school, whichever occurs later;

23 (ii) marriage; *or*

24 (iii) death, whichever first occurs.

1 *Except* as provided for in Paragraph (4) of this
2 Subsection, in the case of a child or children over age
3 eighteen (18) attending high school as of the date of the
4 death of the member, the allowance shall be payable until
5 the child's or children's graduation from high school,
6 marriage or death, whichever occurs first. The annuity of
7 the surviving spouse shall terminate upon the death or upon
8 remarriage of a spouse under the age of forty (40) years,
9 whichever first occurs; *provided*, however, that *if* remarriage
10 occurs at age forty (40) or over, this restriction shall *not* be
11 applicable.

12 (3) *Except* as provided for in Paragraph (4) of this
13 Subsection, *if* a minor child or children under age eighteen
14 (18) survive a member and no parent of such child or
15 children is living, an annuity on account of any child or
16 children shall be payable until the child's:

17 (i) attainment of age eighteen (18) or
18 graduation from high school, whichever occurs later;

19 (ii) marriage; *or*

20 (iii) death, whichever first occurs.

21 *Except* as provided for in Paragraph (4) of this
22 Subsection, in the case of a child or children over age
23 eighteen (18) attending high school as of the date of the
24 death of the member, the allowance shall be payable until

1 the child's or children's graduation from high school,
2 marriage or death, whichever occurs first.

3 (4) Payment of the annuity or allowance for a minor
4 child or children, or child or children over age eighteen (18)
5 attending high school provided for under Paragraphs (2)
6 and (3) of this Section may be continued *up to* twenty-four
7 (24) years of age, *if* such minor child or children are full-
8 time, undergraduate students in an accredited college or
9 university, or educational institution."

10 **Section 2.** Any child who survives a member who, as of the date of the
11 death of the member is a full-time student, is under the age of twenty-four
12 (24) years, *and* has been continuously enrolled as a full-time student since the
13 death of the member shall be eligible for a survivor annuity until determined
14 ineligible according to the provisions of this Act.

15 **Section 3. Severability.** *If* any provision of this Law or its
16 application to any person or circumstance is found to be invalid or contrary to
17 law, such invalidity shall *not* affect other provisions or applications of this
18 Law which can be given effect without the invalid provisions or application,
19 and to this end the provisions of this Law are severable.