



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

MAY 18 2001

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

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 067 (COR) entitled: "AN ACT TO AMEND §8210(e) AND TO ADD §8217(c) TO TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM" which I have signed into law as Public Law No. 26-13.

This legislation allows the Government of Guam Retirement Fund, with respect to the Defined Contribution Plan, to spend funds for administrative expenses of the Retirement Fund from the expense account set up to receive funds of the employer's contribution paid into the fund on behalf of employees who never become vested in the fund. These funds are forfeited funds, and may be applied to the employee should the employee become re-employed within 5 years of termination. If the employee does not become re-employed, the forfeited funds can be used for administrative costs.

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 Antonio R. Unpingco  
Speaker


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	11:04 am
Date	5/18/01

0191

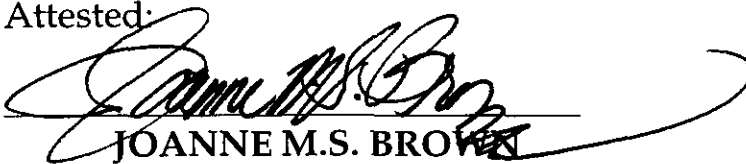
MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2001 (FIRST) Regular Session

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

This is to certify that Substitute Bill No. 067 (COR) "AN ACT TO AMEND §8210(e) AND TO ADD §8217(c) TO TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM," was on the 11<sup>th</sup> day of May, 2001, duly and regularly passed.

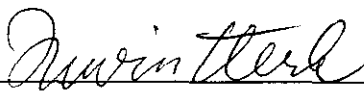
  
\_\_\_\_\_  
ANTONIO R. UNPINGCO  
Speaker

Attested:

  
\_\_\_\_\_  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

.....

This Act was received by *I Maga'lahaen Guåhan* this 14<sup>th</sup> 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'lahaen Guåhan*

Date: 5-18-01

Public Law No. 26-13

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

**Bill No. 67 (COR)**

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

Introduced by:

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

**AN ACT TO AMEND §8210(e) AND TO ADD  
§8217(c) TO TITLE 4 OF THE GUAM CODE  
ANNOTATED, RELATIVE TO ADMINISTRATIVE  
EXPENSES OF THE GOVERNMENT OF GUAM  
DEFINED CONTRIBUTION RETIREMENT  
SYSTEM.**

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

2           **Section 1.** Section 8210(e) of Article 2, Chapter 8 of Title 4 of the Guam

3 Code Annotated is hereby *amended* to read as follows:

1           “(e) The remaining balance, *if any*, in the member's account after  
2 the distribution shall be credited to a suspense account. Any account  
3 balances credited to the suspense account shall be maintained by the  
4 board for a period of five (5) years following termination of the  
5 member's employment. In the event that the member does *not* return to  
6 the employ of the employer within said five (5) years, the amount  
7 attributable to such member shall be released from the suspense account  
8 and shall be first applied to the payment of the plan's administrative  
9 expenses authorized by §8217 of this Chapter. Any remaining balance  
10 shall be applied to employer contributions in future years. The  
11 aggregate amount of forfeitures released from the suspense account at  
12 the end of each fiscal year, *after* deducting the payment of the plan's  
13 administrative expenses authorized by §8217 of this Chapter, will be  
14 applied as contributions of contributing employers in proportion to the  
15 aggregate amount of contributions made by the contributing employer  
16 for the five (5) fiscal years ending with the fiscal year in which the  
17 forfeitures are released from the suspense account bears to the total  
18 contributions made by all contributing employers for the same five (5)  
19 fiscal year period. Upon certification to the several contributing  
20 employers of the aggregate account balances plus earnings thereon  
21 which have been irrevocably forfeited pursuant to this §8210, the  
22 several contributing employers shall be permitted in the *next* succeeding  
23 fiscal year, or years, to reduce their total aggregate contribution  
24 requirement pursuant to §8209 of this Article, for the then current fiscal  
25 year by an amount equal to the aggregate amounts irrevocably forfeited

1 and certified as such to each contributing employer, *if* any balance  
2 remains after deducting the payment of the plan's administrative  
3 expenses authorized by §8217 of this Chapter."

4 **Section 2.** Section 8217(c) is hereby *added* to Article 2, Chapter 8 of Title  
5 4 of the Guam Code Annotated to read as follows:

6 "(c) For fiscal years beginning October 1, 2001 and thereafter, the  
7 Board of Trustees shall use the aggregate amount of forfeitures released  
8 from the suspense account at the end of each fiscal year to pay for the  
9 plan's administrative expenses to reduce the administrative fees or  
10 charges allowed by this Section."

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

6

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 5/11/01

## VOTING SHEET

S Bill No. 67(COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

15

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

6  
5/11/01

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

**Bill No. 67 (COR)**

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

\*

Introduced by:

- V. C. Pangelinan
- J. F. Ada
- T. C. Ada

---

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

**AN ACT TO AMEND §8210(e) AND TO ADD  
§8217(c) TO TITLE 4 OF THE GUAM CODE  
ANNOTATED, RELATIVE TO ADMINISTRATIVE  
EXPENSES OF THE GOVERNMENT OF GUAM  
DEFINED CONTRIBUTION RETIREMENT  
SYSTEM.**

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

2 **Section 1.** Section 8210(e) of Article 2, Chapter 8 of Title 4 of the Guam

3 Code Annotated is hereby *amended* to read as follows:

1           “(e) The remaining balance, *if any*, in the member's account after  
2 the distribution shall be credited to a suspense account. Any account  
3 balances credited to the suspense account shall be maintained by the  
4 board for a period of five (5) years following termination of the  
5 member's employment. In the event that the member does *not* return to  
6 the employ of the employer within said five (5) years, the amount  
7 attributable to such member shall be released from the suspense account  
8 and shall be first applied to the payment of the plan's administrative  
9 expenses authorized by §8217 of this Chapter. Any remaining balance  
10 shall be applied to employer contributions in future years. The  
11 aggregate amount of forfeitures released from the suspense account at  
12 the end of each fiscal year, *after* deducting the payment of the plan's  
13 administrative expenses authorized by §8217 of this Chapter, will be  
14 applied as contributions of contributing employers in proportion to the  
15 aggregate amount of contributions made by the contributing employer  
16 for the five (5) fiscal years ending with the fiscal year in which the  
17 forfeitures are released from the suspense account bears to the total  
18 contributions made by all contributing employers for the same five (5)  
19 fiscal year period. Upon certification to the several contributing  
20 employers of the aggregate account balances plus earnings thereon  
21 which have been irrevocably forfeited pursuant to this §8210, the  
22 several contributing employers shall be permitted in the *next* succeeding  
23 fiscal year, or years, to reduce their total aggregate contribution  
24 requirement pursuant to §8209 of this Article, for the then current fiscal  
25 year by an amount equal to the aggregate amounts irrevocably forfeited



1 and certified as such to each contributing employer, *if* any balance  
2 remains after deducting the payment of the plan's administrative  
3 expenses authorized by §8217 of this Chapter."

4 **Section 2.** Section 8217(c) is hereby *added* to Article 2, Chapter 8 of Title  
5 4 of the Guam Code Annotated to read as follows:

6 "(c) For fiscal years beginning October 1, 2001 and thereafter, the  
7 Board of Trustees shall use the aggregate amount of forfeitures released  
8 from the suspense account at the end of each fiscal year to pay for the  
9 plan's administrative expenses to reduce the administrative fees or  
10 charges allowed by this Section."

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

**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
**Mina'Bente Sais Na Liheslaturan Guåhan**  
**Twenty-Sixth Guam Legislature**

May 8, 2001

Honorable Antonio R. Unpingco  
Speaker  
*Mina'Bente Sais Na Liheslaturan Guåhan*  
Hagåtña, Guam 96910

VIA: Chairperson, Committee on Rules, General Government Operations, Reorganization and Reform and Federal, Foreign and General Affairs

Dear Mr. Speaker:

The Committee on Ways and Means, to which was referred Bill No. 67 (COR), "AN ACT TO AMEND SECTION 8210(e) AND TO ADD A NEW SECTION 8217(c) TO ARTICLE 2, CHAPTER 8 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM," has had the same under consideration, and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes are as follows:

<u>8</u>	To Do Pass
<u>0</u>	Not to Pass
<u>0</u>	To Report Out
<u>0</u>	Abstain
<u>0</u>	Inactive File

A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Thank you,

  
**KALEO S. MOYLAN**  
Chairperson

Enclosure:

**Committee on Ways and Means**





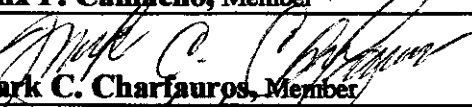



**Vote Sheet on**

**Bill No. 67 (COR)**

*As substituted by the Committee*

**AN ACT TO AMEND SECTION 8210(e) AND TO ADD A NEW SECTION 8217(c) TO ARTICLE 2, CHAPTER 8 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM.**

COMMITTEE MEMBER	TO DO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
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 <b>Kaleo S. Moylan, Chairperson</b>	✓				
 <b>Joanne M.S. Brown, Vice Chairperson</b>	✓				
<b>Antonio R. Unpingco, Speaker &amp; Ex-Officio</b>					
 <b>Eddie B. Calvo, Member</b>	✓				
 <b>Felix P. Camacho, Member</b>	✓				
 <b>Mark C. Charfauros, Member</b>	✓				
 <b>Mark Forbes, Member</b>	✓				
 <b>Lawrence F. Kasperbauer, Member</b>	✓				
 <b>Vicente C. Pangelinan, V, Member</b>	✓				

**Committee on Ways and Means  
Report On**

**Bill No. 67 (COR)**

*As substituted by the Committee.*

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**AN ACT TO ~~AMEND~~ SECTION 8210(e) AND TO ~~ADD~~ A NEW SECTION 8217(c) TO ARTICLE 2, CHAPTER 8 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM.**

***PUBLIC HEARING:***

The Committee on Ways and Means, to which was referred Bill No. 67 (COR), "AN ACT TO ~~AMEND~~ SECTION 8210(e) AND TO ~~ADD~~ A NEW SECTION 8217(c) TO ARTICLE 2, CHAPTER 8 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM," conducted a public hearing on Tuesday, May 8, 2001, at the Guam Legislature Public Hearing Room Senator Kaleo S. Moylan, Chairperson of the Committee on Ways and Means convened the hearing at 8:30 a.m. Also in attendance were Senators Vicente C. Pangelinan, Eddie B. Calvo, Lou A. Leon Guerrero and Thomas C. Ada.

***TESTIMONY***

Appearing before the Committee was Mr. John A. Rios, Director of the Government of Guam Retirement Fund. Mr. Rios informed the Committee that the proposed Bill will cover the costs associated with the creation of the Defined Contribution Plan as well decreasing the future costs to the individual DC member for administrative expenses. In closing, Mr. Rios, urged the Committee and other members of the Guam Legislature to act favorably on Bill No. 67.

There being no further discussion, the Chair adjourned the hearing on Bill No 67 (COR) at 9:00 a.m.

***COMMITTEE PROFILE AND FINDINGS***

**Brief Title:** "Payment of Administrative Expenses of the Government of Guam Defined Contribution Plan."

**Main Sponsor(s):** Senator V. C. Pangelinan.

**Date Introduced:** Wednesday, April 25, 2001.

**Committee Referral:** From the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs to the Committee on Ways and Means on May 2, 2001.

Public Hearing: Tuesday, May 8, 2001, at 8:30 a.m. at the Guam Legislature Public Hearing Room.

Official Title: **“AN ACT TO AMEND SECTION 8210(e) AND TO ADD A NEW SECTION 8217(c) TO ARTICLE 2, CHAPTER 8 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM.”**

Recommendation: To do pass as substituted by the Committee on Ways and Means.

***SECTION ANALYSIS:***

**Section 1.** This section amends Section 8210(e) of Article 2, Chapter 8 of Title 4 of the Guam Code Annotated. The proposed amendment ensures that the costs associated with the creation of the Deferred Contribution Plan will be covered.

**Section 2.** This sections adds a new paragraph (c) to Section 8217(c). This new subsection provides that for fiscal years beginning October 1, 2001 and thereafter, the Board of Trustees shall use the aggregate amount of forfeitures released from the suspense account at the end of each fiscal year to pay for the plan’s administrative expenses to reduce the administrative fees or charges allowed by this section.

**Section 3.** Severability.

***COMMITTEE RECOMMENDATION***

The Committee on Ways and Means, to which rwas referred Bill No. 67 (COR), **“AN ACT TO AMEND SECTION 8210(e) AND TO ADD A NEW SECTION 8217(c) TO ARTICLE 2, CHAPTER 8 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM,”** recommends that the legislation, as substituted, be passed by *I Liheslaturan Guåhan*.

301  
5/10/01

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

**Bill No. 67 (COR)**

As substituted by the Committee on  
Ways and Means

Introduced by:

V. C. Pangelinan

**AN ACT TO AMEND SECTION 8210(e) AND TO  
ADD A NEW SECTION 8217(c) TO ARTICLE 2,  
CHAPTER 8 OF TITLE 4 OF THE GUAM CODE  
ANNOTATED, RELATIVE TO ADMINISTRATIVE  
EXPENSES OF THE GOVERNMENT OF GUAM  
DEFINED CONTRIBUTION RETIREMENT  
SYSTEM.**

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

2 **Section 1.** Section 8210(e) of Article 2, Chapter 8 of Title 4 of the Guam  
3 Code Annotated is hereby *amended* to read as follows:

4 "(e) The remaining balance, if any, in the member's account after  
5 the distribution shall be credited to a suspense account. Any account  
6 balances credited to the suspense account shall be maintained by the  
7 board for a period of five (5) years following termination of the  
8 member's employment. In the event that the member does not return to  
9 the employ of the employer within said five (5) years, the amount  
10 attributable to such member shall be released from the suspense account

1 and shall be first applied to the payment of the plan's administrative  
2 expenses authorized by §8217 of this Chapter. Any remaining balance  
3 shall be applied to employer contributions in future years. The  
4 aggregate amount of forfeitures released from the suspense account at  
5 the end of each fiscal year, after deducting the payment of the plan's  
6 administrative expenses authorized by §8217 of this Chapter, will be  
7 applied as contributions of contributing employers in proportion to the  
8 aggregate amount of contributions made by the contributing employer  
9 for the five (5) fiscal years ending with the fiscal year in which the  
10 forfeitures are released from the suspense account bears to the total  
11 contributions made by all contributing employers for the same five (5)  
12 fiscal year period. Upon certification to the several contributing  
13 employers of the aggregate account balances plus earnings thereon  
14 which have been irrevocably forfeited pursuant to this §8210, the several  
15 contributing employers shall be permitted in the next succeeding fiscal  
16 year or years to reduce their total aggregate contribution requirement  
17 pursuant to §8209 of this Article, for the then current fiscal year by an  
18 amount equal to the aggregate amounts irrevocably forfeited and  
19 certified as such to each contributing employer, if any balance remains  
20 after deducting the payment of the plan's administrative expenses  
21 authorized by §8217 of this Chapter."

22 **Section 2.** A Section 8217(c) is hereby *added* to Article 2, Chapter 8 of  
23 Title 4 of the Guam Code Annotated to read as follows:

1           “(c) For fiscal years beginning October 1, 2001 and thereafter, the  
2           Board of Trustees shall use the aggregate amount of forfeitures released  
3           from the suspense account at the end of each fiscal year to pay for the  
4           plan’s administrative expenses to reduce the administrative fees or  
5           charges allowed by this section.”

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



APR 25, 200

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

Bill No. 67 (COR)

Introduced by:

v. c. pangelinan

AN ACT TO AMEND §8210(e) OF TITLE 10, GUAM  
CODE ANNOTATED, AND TO ADD A NEW  
§8217(c) TO THE SAME TITLE, RELATIVE TO  
ADMINISTRATIVE EXPENSES OF THE  
GOVERNMENT OF GUAM DEFINED  
CONTRIBUTION RETIREMENT SYSTEM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. §8210(e) of Title 4, Guam Code Annotated, is hereby  
3 amended to read as follows:

4 "(e) The remaining balance, if any, in the member's account after  
5 the distribution shall be credited to a suspense account. Any account  
6 balances credited to the suspense account shall be maintained by the  
7 board for a period of five (5) years following termination of the  
8 member's employment. In the event that the member does not return to  
9 the employ of the employer within said five (5) years, the amount  
10 attributable to such member shall be released from the suspense account  
11 and shall be first applied to the payment of the plan 's administrative  
12 expenses authorized by §8217 of this Chapter. Any remaining balance  
13 shall be applied to employer contributions in future years. The  
14 aggregate amount of forfeitures released from the suspense account at

1 the end of each fiscal year, after deducting the payment of the plan's  
2 administrative expenses authorized by §8217 of this Chapter, will be  
3 applied as contributions of contributing employers in proportion to the  
4 aggregate amount of contributions made by the contributing employer  
5 for the five (5) fiscal years ending with the fiscal year in which the  
6 forfeitures are released from the suspense account bears to the total  
7 contributions made by all contributing employers for the same five (5)  
8 fiscal year period. Upon certification to the several contributing  
9 employers of the aggregate account balances plus earnings thereon  
10 which have been irrevocably forfeited pursuant to this §8210, the  
11 several contributing employers shall be permitted in the next  
12 succeeding fiscal year or years to reduce their total aggregate  
13 contribution requirement pursuant to §8209 of this Article, for the then  
14 current fiscal year by an amount equal to the aggregate amounts  
15 irrevocably forfeited and certified as such to each contributing  
16 employer, if any balance remains after deducting the payment of the  
17 plan's administrative expenses authorized by §8217 of this Chapter."

18 Section 2. A new §8217(c) is hereby added to Title 4, Guam Code  
19 Annotated, to read as follows:

20 "(c) For fiscal years beginning October 1, 2001 and thereafter, the  
21 Board of Trustees shall use the aggregate amount of forfeitures released  
22 from the suspense account at the end of each fiscal year to pay for the  
23 plan's administrative expenses to reduce the administrative fees or  
24 charges allowed by this section."



# MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,  
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senador Mark Forbes, Gebilu  
Kabisiyon Mayorát*

02 MAY 2001

## MEMORANDUM

TO: Chairman  
Committee on Ways and Means

FROM: Chairman *[Signature]*  
Committee on Rules, General Governmental Operations, Reorganization and  
Reform, and Federal, Foreign and General Affairs

SUBJECT: Principal Referral – Bill No. 67

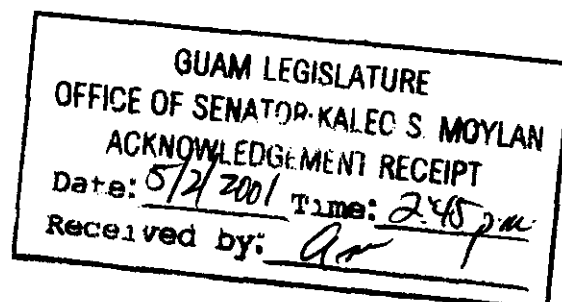
The above bill is referred to your Committee as the Principal Committee, in accordance with Section 6.04.05.01. of the Standing Rules. Your Committee is the Committee authorized to perform the public hearing on this bill and to amend or substitute the bill, as well as report the bill out to the Body. It is recommended that you schedule a public hearing at your earliest convenience.

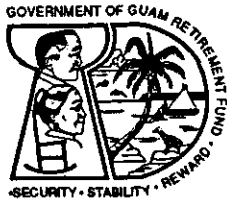
Thank you for your attention to this matter.

**MARK FORBES**

Attachment

*[Handwritten signature]*  
*[Handwritten initials]*  
*02/15/01*





**FONDON RITIRAO GUBETNAMENTON GUÁHAN**  
*Government of Guam Retirement Fund*  
**424 ROUTE 8**  
**MAITE, GUAM 96927**

Telephone Nos. (671) 475-8900/8901  
Facsimile No. (671) 475-8922



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May 8, 2001

Honorable Senator Kaleo S. Moylan  
Chairman, Committee on Ways and Means  
Mina'Bente Sais Na Liheslaturan Guáhan  
Twenty-Six Guam Legislature

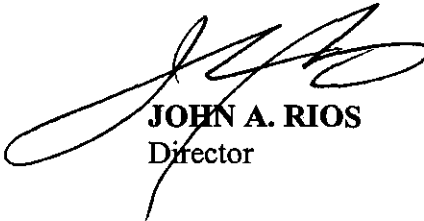
Subject: Bill No. 67 (COR), "An Act to Amend §8210(e) of Title 10, Guam Code Annotated, and to add a new §8217(c) to the same title, relative to administrative expenses of the Government of Guam Defined Contribution Retirement System."

Hafa Adai Honorable Senator Moylan and members of the Committee on Ways and Means:

Thank you for allowing me to submit testimony on Bill No. 67. The proposed bill will cover the costs associated with the creation of the Defined Contribution (DC) Plan as well as decreasing the future cost to the individual DC member for administrative expenses.

Therefore, the Retirement Fund endorses Bill 67 as written.

Sincerely,



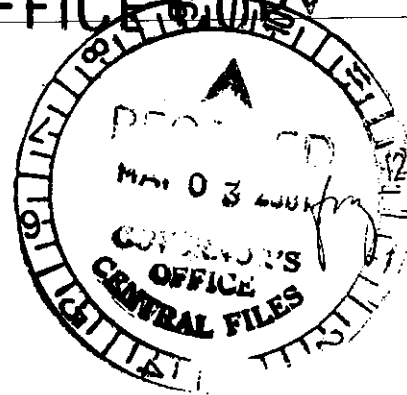
**JOHN A. RIOS**  
Director

**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
***Mina'Bente Sais Na Liheslaturan Guåhan***  
**Twenty-Sixth Guam Legislature**

May 3, 2001

OFFICE COPY

The Honorable Carl T.C. Gutierrez  
*Maga'lahaen Guåhan*  
R. J. Bordallo Governor's Complex  
Agana, Guam 96932



Re: Committee Public Hearing: Tuesday, May 8, 2001

Dear Governor Gutierrez:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, May 8, 2001 commencing at 8:30 a.m. in the Legislative Public Hearing Room.

**Bill No. 16 (COR)**, "RELATIVE TO AUTHORIZING THE REFINANCING OF 1997 GUAM MEMORIAL HOSPITAL AUTHORITY DEBT ('1997 HOSPITAL NOTE')"

**Bill No. 42 (LS)**, "AN ACT TO AMEND §8134(a) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO SURVIVOR ANNUITIES."

**Bill No. 67 (COR)**, "AN ACT TO AMEND §8210(e) OF TITLE 10, GUAM CODE ANNOTATED, AND TO ADD A NEW §8217(c) TO THE SAME TITLE, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM."

**Bill No. 72 (COR)**, "AN ACT RELATIVE TO THE GUAM HOUSING CORPORATION."

As these measures and appointment affect the people of Guam, the Committee encourages that your assigned cabinet official(s) be in attendance. The Committee members and I would appreciate receiving fifteen (15) copies of your Administration's position statement and or supporting documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Thank you,

  
KALEO S. MOYLAN

Enclosure:

**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
***Mina'Bente Sais Na Liheslaturan Guåhan***  
**Twenty-Sixth Guam Legislature**

May 1, 2001

---

The Honorable Carl T.C. Gutierrez  
*Maga'lahaen Guåhan*  
R. J. Bordallo Governor's Complex  
Agana, Guam 96932

Re: Committee Public Hearing: Tuesday, May 8, 2001

Dear Governor Gutierrez:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, May 8, 2001 commencing at 8:30 a.m. in the Legislative Public Hearing Room.

**Bill No. 16 (COR)** by Chairman, Committee on Rules, General Governmental Operations, Reorganization and Reform, & Federal, Foreign and General Affairs, by request of *I Maga'lahaen Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

**RELATIVE TO AUTHORIZING THE REFINANCING OF 1997 GUAM MEMORIAL HOSPITAL AUTHORITY DEBT ('1997 HOSPITAL NOTE')**

**Bill No. 42 (LS)** AN ACT TO AMEND §8134(a) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO SURVIVOR ANNUITIES.

**Bill No. 72 (COR)** AN ACT RELATIVE TO THE GUAM HOUSING CORPORATION.

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Thank you,



**KALEO S. MOYLAN**

Enclosure:

**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
*Mina'Bente Sais Na Liheslaturan Guåhan*  
**Twenty-Sixth Guam Legislature**



**OFFICE COPY**

May 3, 2001

Mr. Joseph Rivera  
Director  
Bureau of Budget and Management Research  
R. J. Bordallo Governor's Complex  
Hagåtña, Guam 96932

Re: Request for Fiscal Notes

Dear Mr. Rivera:

Please find attached a copies of **Bill Nos. 16 (COR), 67 (COR) and 72 (COR)** and **Bill No. 42 (LS)** referred to the Committee on Way and Means which I respectfully request issuance of a Fiscal Note.

Thank you,

for **KALEO S. MOYLAN**

Attachment:

**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
*Mina'Bente Sais Na Liheslaturan Guåhan*  
**Twenty-Sixth Guam Legislature**

---

May 1, 2001

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Director  
Bureau of Budget and Management Research  
R. J. Bordallo Governor's Complex  
Hagåtña, Guam 96932

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Thank you,



**KALEO S. MOYLAN**

Attachment:

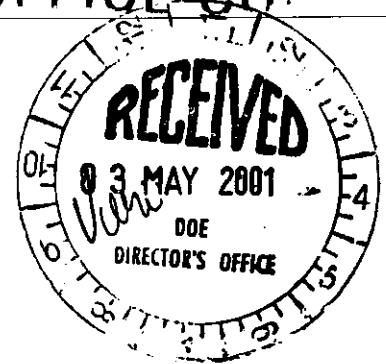


**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
**Mina'Bente Sais Na Liheslaturan Guahan**  
**Twenty-Sixth Guam Legislature**

May 3, 2001

OFFICE COPY

Mr. Joseph Duenas  
Interim Director  
Department of Administration  
Hagåtña, Guam 96910



Re: Committee Public Hearing: Tuesday, May 8, 2001

Dear Mr. Duenas:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, May 8, 2001 commencing at 8:30 a.m. in the Legislative Public Hearing Room.

**Bill No. 16 (COR), "RELATIVE TO AUTHORIZING THE REFINANCING OF 1997 GUAM MEMORIAL HOSPITAL AUTHORITY DEBT ('1997 HOSPITAL NOTE')."**

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**Bill No. 67 (COR), "AN ACT TO AMEND §8210(e) OF TITLE 10, GUAM CODE ANNOTATED, AND TO ADD A NEW §8217(c) TO THE SAME TITLE, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM."**

**Bill No. 72 (COR), "AN ACT RELATIVE TO THE GUAM HOUSING CORPORATION."**

As this measure affects the Department of Administration, the Committee encourages that you or your assigned staff be in attendance. The Committee members and I would appreciate receiving fifteen (15) copies of your position statement and or supporting documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Thank you,

  
KALEO S. MOYLAN

Enclosure:

**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
**Mina'Bente Sais Na Liheslaturan Guahan**  
**Twenty-Sixth Guam Legislature**

May 3, 2001

OFFICE COPY

Mr. John Rios  
Director  
Government of Guam Retirement Fund  
Maite, Guam 96927

GOVERNMENT OF GUAM

Re: Committee Public Hearing: Tuesday, May 8, 2001

*U. Aguirre*

Dear Mr. Rios:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, May 8, 2001 commencing at 8:30 a.m. in the Legislative Public Hearing Room.

**Bill No. 42 (LS), "AN ACT TO AMEND §8134(a) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO SURVIVOR ANNUITIES."**

**Bill No. 67 (COR), "AN ACT TO AMEND §8210(e) OF TITLE 10, GUAM CODE ANNOTATED, AND TO ADD A NEW §8217(c) TO THE SAME TITLE, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM."**

As these measures affect the Retirement Fund, the Committee encourages that you or your assigned staff be in attendance. The Committee members and I would appreciate receiving fifteen (15) copies of your position statement and or supporting documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Thank you,



*K* KALEO S. MOYLAN

Enclosure:

cc: Mr. Gerald S.A. Perez,  
Chairman, Board of Trustees

**Senator Kaleo S. Moylan**  
**Chairperson, Committee on Ways and Means**  
*Mina'Bente Sais Na Liheslaturan Guåhan*  
**Twenty-Sixth Guam Legislature**

---

May 1, 2001

MEMORANDUM

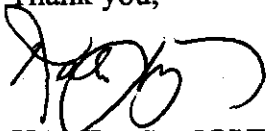
To: All Members, Committee on Ways and Means

From The Chairperson,

Subject: Committee Public Hearing

This is to inform you that the Committee Ways and Means will be conducting a public hearing on Tuesday, May 8, 2001, at 8:30 a.m., in the Legislative Public Hearing Room. A copy of the hearing Agenda is attached for your review.

Thank you,



**KALEO S. MOYLAN**

Attachment:

cc: Clerk of Legislature  
Protocol  
Media

***MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN***  
**Senator Kaleo S. Moylan, Chairman**  
***Committee on Ways and Means***

**Public Hearing**  
**8:30 a.m., Tuesday, May 8, 2001**

**A G E N D A**

***Revised***

**I. Call to Order:**

**II. Announcement & Introduction of Members:**

**III. Legislative Measures:**

**Bill No. 16 (COR)** by Chairman, Committee on Rules, General Governmental Operations, Reorganization and Reform, & Federal, Foreign and General Affairs, by request of *I Maga'láhen Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.  
**RELATIVE TO AUTHORIZING THE REFINANCING OF 1997 GUAM MEMORIAL HOSPITAL AUTHORITY DEBT ('1997 HOSPITAL NOTE')**

**Bill No. 42 (LS)** by: V. C. Pangelinan  
**AN ACT TO AMEND §8134(a) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO SURVIVOR ANNUITIES.**

**Bill No. 67 (COR)** by: V. C. Pangelinan  
**AN ACT TO AMEND §8210(e) OF TITLE 10, GUAM CODE ANNOTATED, AND TO ADD A NEW §8217(c) TO THE SAME TITLE, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM.**

**Bill No. 72 (COR)** by K. S. Moylan, A. L.G. Santos  
**AN ACT RELATIVE TO THE GUAM HOUSING CORPORATION.**

**IV. Remarks:**

**V. Adjournment:**

**The Hearing will take place at the Guam Legislature's Public Hearing Room.  
Individuals requiring special accommodations, auxiliary aids or services are asked to contact the  
Office of Senator Kaleo S. Moylan at 472-3342.**

**GOVERNMENT MEETINGS**

▲ Continued from Page 9

5:30 p.m., today, Chamorro Language and Culture Division, 101 H St., Tiyan. Public invited. Those who need special accommodations should call 475-4226/4279.  
**PLANNING COUNCIL:** Rescheduled meeting 9 a.m., today, Governor's conference room, Adelup.  
**DOE 10 year capital facilities plan;** GovGuam Emergency Response Plan; strategy to develop land use component; miscellaneous matters. Call Ike Santos, 472-9771/0.  
**COMMITTEE ON NATURAL RESOURCES:** Public hearing/confirmation 9 a.m., today, Legislature

public hearing room, Hagåtña. Bills 46, 61. Confirmation of Jesus P. Cruz as GWA board of directors member. Call 472-3450.

**BOARD OF ALLIED HEALTH EXAMINERS:** Noon, tomorrow, Health Professional Licensing office, 1302 E. Sunset Blvd., Tiyan. Agenda copies available at 1304 E. Sunset Blvd. Call 475-0251/2.  
**COMMITTEE ON POWER, PUBLIC SAFETY AND THE JUDICIARY:** Public hearing 10 a.m. tomorrow, Legislature public hearing room, Hagåtña. Bills 69, 70; judicial council resolution No. 02-2001. Those who need special accom-

modations should call 472-3431/2.

**COMMITTEE ON EDUCATION:** 9 a.m., Saturday, Legislature public hearing room, Hagåtña. Confirmation hearings for Beth McClure and Joyce Camacho to serve as members of Guam Public Library Board. Those who need special accommodations should call Vice Speaker Larry Kasperbauer, 475-5437.

**BOARD OF COSMETOLOGY:** Noon Monday, Health Professional Licensing office, 1302 E. Sunset Blvd., Tiyan. Agenda

copies available at 1304 E. Sunset Blvd. Call 475-0251/2.

**MASS TRANSIT AUTHORITY BOARD OF DIRECTORS:** 5:30 p.m., Tuesday, center's conference room. Those who need special accommodations should call 475-4682 or TTY 475-7401.

**COMMITTEE ON WAYS AND MEANS:** 8:30 a.m. Tuesday, Legislature public hearing room, Hagåtña. Bills 16 (corr.), 42, 72 (corr). Those who need special accommodations should call Sen. Kaleo Moylan, 472-3342.

**CIVIL SERVICE COMMISSION:** 5:30 p.m. Tuesday, CSC confer-

ence room, 490 Chalan Palasyo, Agana Heights. Adverse action appeal of Jennifer C. Badar vs. GWA; dismissal, hearing; pay shift policy for executive managers of Guam Retirement Fund Division; general business; executive session. Call 475-1300/01.

**INTERAGENCY WATERSHED:** 9:30 a.m., Wednesday, Division of Environmental Quality. Call (670) 233-3415/0650.

**CONTRACTORS LICENSE BOARD:** May 10, 24, board conference room. Call 646-7262.

▲ See Meetings. Page 11

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**DI 116: HUGE SAVINGS**

which was to be presented by Guam on issues affecting Guam.



### **MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN**

**Senator Kaleo S. Moylan, Chairman  
Committee on Ways and Means**

**Public Hearing  
8:30 a.m., Tuesday, May 8, 2001**

## **A G E N D A**

**Bill No. 16 (COR) AN ACT AUTHORIZING THE REFINANCING OF 1997 GUAM MEMORIAL HOSPITAL AUTHORITY DEBT (1997 Hospital Note)**

**Bill No. 42 (LS) AN ACT TO AMEND §8134(a) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO SURVIVOR ANNUITIES.**

**Bill No. 67 (COR) AN ACT TO AMEND §8210(e) OF TITLE 10, GUAM CODE ANNOTATED, AND TO ADD A NEW §8217(c) TO THE SAME TITLE, RELATIVE TO ADMINISTRATIVE EXPENSES OF THE GOVERNMENT OF GUAM DEFINED CONTRIBUTION RETIREMENT SYSTEM.**

**Bill No. 72 (COR) AN ACT RELATIVE TO THE GUAM HOUSING CORPORATION.**

The Hearing will take place at the Guam Legislature Public Hearing Room located in Hagatña. Individuals requiring special accommodations, auxiliary aids or services are asked to contact the office of senator Kaleo S. Moylan at 472-3342.



## **GUAM MEMORIAL HOSPITAL AUTHORITY Aturidat Espetat Mimuriat Guahan**

850 GOV. CARLOS CAMACHO ROAD  
OKA, TAMUNING, GUAM 96911  
TEL: 647-2444 or 647-2330 • FAX: (671) 649-3640

### **REQUEST FOR PROPOSAL**

Request for Proposal for the Replacement of the Fire Alarm System



# Water, poaching top at Legislature hearing

**By Adam Steven Fogerson  
Variety News Staff**

THE Guam Legislature's Natural Resources Committee will take up a bill to assess new users of Guam's water and wastewater system hooking up, a bill to issue citations and fines to poachers, and the re-appointment of a Guam Waterworks Authority board member during a meeting this morning at 9:00 a.m.

Bill 46, authored by Sen. Tom Ada, would re-institute a Systems Development Charge paid by all new homes and buildings connecting to the Guam water system. Laws to establish such a charge has existed for years, but was never implemented because of concerns over the calculation of the charges, according to Sen. Joanne Brown, chairperson of the committee that will hear the bill.

"Some of the previous figures that have surfaced are astronomically high. For a three-bedroom residential home, the systems development charge, eight or nine years ago, was calculated at about \$7,000," Brown said, "At the same time, we recognize the need to address upgrading and improving the infrastructure."

Brown said the Public Utilities Commission will need to deter-

would replace sanctified for fishing with enforcement

"Currently violation of t essentially re anyone that said the arre lengthy court proposes citi fic tickets be

"We feel much better message our people from preserves law

Fines paid go to the Agriculture' tion Fund, ' funding to c of Guam," t

The comm up the re-a Cruz to the Authority B


Brown said position to Cr that she's fou said he regul committee h

"We look what his c row," Brow Brown s

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

Bill No. 67 (COR)

Introduced by:

v. c. pangelinan 

---

AN ACT TO AMEND §8210(e) OF TITLE 10, GUAM  
CODE ANNOTATED, AND TO ADD A NEW  
§8217(c) TO THE SAME TITLE, RELATIVE TO  
ADMINISTRATIVE EXPENSES OF THE  
GOVERNMENT OF GUAM DEFINED  
CONTRIBUTION RETIREMENT SYSTEM.

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

2        **Section 1.** §8210(e) of Title 4, Guam Code Annotated, is hereby  
3 amended to read as follows:

4            “(e) The remaining balance, if any, in the member's account after  
5 the distribution shall be credited to a suspense account. Any account  
6 balances credited to the suspense account shall be maintained by the  
7 board for a period of five (5) years following termination of the  
8 member's employment. In the event that the member does not return to  
9 the employ of the employer within said five (5) years, the amount  
10 attributable to such member shall be released from the suspense account  
11 and shall be first applied to the payment of the plan 's administrative  
12 expenses authorized by §8217 of this Chapter. Any remaining balance  
13 shall be applied to employer contributions in future years. The  
14 aggregate amount of forfeitures released from the suspense account at