



CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

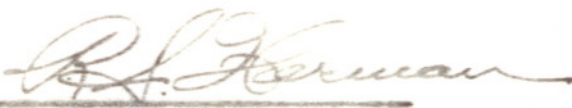
This is to certify that Bill No. 161, "An Act to amend Section 4217, Chapter 3, Title V, Government Code of Guan, relating to annuities payable to employees of the government of Guan and to surviving spouses and minor children of deceased employees and annuitants", on the 7th day of February, 1956, was duly and regularly passed.

  
F. B. LEON GUERRERO  
Speaker

ATTESTED:

  
A. S. N. DUENAS  
Legislative Secretary

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This Act was received by the Governor this 9<sup>th</sup> day  
of February, 1956 at 4:21 o'clock P. M.

  
R. S. HERMAN  
Secretary of Guan

APPROVED:

/S/ FORD Q. ELVIDGE  
FORD Q. ELVIDGE  
Governor of Guan  
MAR 2 1956  
9:23 A.M.

Public Law 64--Third Guam Legislature

1956 (SECOND) Regular Session

C. L. 161

AN ACT

An Act to amend Section 4217, Chapter 3, Title V, Government Code of Guam, relating to annuities payable to employees of the government of Guam and to surviving spouses and minor children of deceased employees and annuitants.

*Be it enacted by the People of the Territory of Guam:*

Section 1. Section 4217, Chapter 3, Title V, Government Code of Guam, is hereby amended to read as follows:

"Section 4217. Payment to surviving spouse and minor children: optional provisions. (a) Upon death of a member, while in service, having completed at least 5 years of total service, if a surviving spouse or minor children survive the member, the following annuities shall be payable:

(1) If a spouse survives, an annuity shall be payable equal to 50% of the service retirement annuity earned by the member and accruing to his or her credit at the date of death for the period of his or her total service. This annuity shall begin as of the date of the death of the member if the surviving spouse shall then have attained the age of at least 50 years, or if such surviving spouse is under age 50 at such date, payment shall begin upon his or her attainment of such age. The annuity shall terminate upon death of the surviving spouse or remarriage, whichever event first occurs. A surviving spouse shall be eligible for such an annuity only if he or she shall have been married to the member at least one year prior to the date of his or her death.



(2) If both a surviving spouse and minor children under age 18 survive the member, the surviving spouse shall receive an annuity equal to 75% of the service retirement annuity earned by the member at the date of death, but payments on such annuity shall begin immediately upon death of the member without regard to whether the surviving spouse shall have attained the age of 50 years. Such annuity shall be further increased on account of each minor children under age 18 by an amount equal to 25% of the member's service retirement annuity, provided that the total payments on account of a spouse and minor children shall not exceed, in the aggregate, in any case, an amount equal to 150% of the service retirement annuity earned by the member for the period of total service credited to him or her at the date of his or her death. The allowance on account of a minor child shall be payable until the child's attainment of age 18, marriage or death, whichever occurs first. Upon the termination of the allowances payable on account of minor children, the amount of surviving spouse's annuity thereafter shall be the rate and under the conditions provided in paragraph (1) of this section.

(3) If only a minor child or children under age 18 survive a member, and no parent is living, each child shall be entitled to an annuity equal to 25% of the retirement annuity earned by the deceased member, which shall not be less than \$15.00 per month, in the case of any one child, provided that the annuities payable to such children shall not exceed in the aggregate, 75% of the employee's service retirement annuity. An annuity on account of any child shall be payable until the child's attainment of age 18, marriage or death, whichever is earlier. Upon termination of the annuity for any child due to any of such several causes, the annuities to other children shall be payable at the rate prescribed for each child, subject to the minimum, and maximum limitations as herein provided.

(b) Upon death of an annuitant, provided the retirement of such annuitant occurred immediately upon separation from service, if a surviving spouse and or children survive, annuities shall be payable to them at the same rate and under the same conditions as are applicable to survivors of a member whose death occurs while in service. No such annuities shall be payable to the survivors of any member who became separated from service prior to the attainment of the minimum age of retirement.

(c) Optional Provisions. (a) Upon retirement for service or disability, a married member may elect to receive in lieu of his full retirement annuity, a reduced annuity payable during his lifetime together with an annuity payable to his or her spouse beginning upon his or her death or the attainment by the surviving spouse of the age of 50 years, whichever is later. This annuity shall be equal to 50% of his or her full retirement annuity before reduction on account of such adjustment, provided that upon death or remarriage of the surviving spouse all rights in the annuity determined for him or her and payments thereon shall cease. The reduction in the member's retirement annuity under this option, if exercised by a married member, shall be 10% plus  $\frac{3}{4}$  of 1% for each year that the spouse is under the age of 60 years at the date of the member's retirement, provided that the reduced retirement annuity payable to the member under this option shall in no event be less than 75% of his or her full retirement annuity.

(b) Upon retirement for service, any unmarried employee, whether male or female, if in good health as determined upon medical examination, may elect to receive in lieu of his full service retirement annuity, a reduced annuity payable during his or her lifetime and an annuity to a survivor annuitant as designated by the member equal to 50% of such reduced service retirement annuity. The retirement annuity payable to the member under this option

shall be 90% of the full service retirement annuity if the designated beneficiary is of the same age or older, or is less than 5 years younger than the retired employee. Such annuity shall be further reduced to the extent of 1% for each additional year above five that the age of the beneficiary is less than the age of the retired member, provided that the reduced annuity for the member shall in no event be less than 60% of the full service retirement annuity."

Section 2. The amendments made by this Act shall be retroactive to May 1, 1951.

Section 3. This Act is an urgency measure.

Approved March 2, 1956.