

*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
<b>27-37 (COR)</b> As amended by the Committee on Human Resources, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, Technology and Federal and Foreign Affairs and further amended on the Floor	Tina Rose Muña Barnes Joe S. San Agustin Roy A. B. Quinata Dwayne T. D. San Nicolas Amanda L. Shelton William A. Parkinson Chris Barnett	AN ACT TO ADD A NEW SUBSECTION (m) TO SECTION 8501, ARTICLE 5, CHAPTER 8, TITLE 4 GUAM CODE ANNOTATED; AND, TO AMEND § 8503(c) OF ARTICLE 5, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE RETIREMENT OF PUBLIC SAFETY AND LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.	2/3/23 8:06 a.m.	2/3/23	Committee on Human Resources, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, Technology and Federal and Foreign Affairs	3/2/23 9:00 a.m.	3/10/23 4:00 p.m.  As amended by the Committee on Human Resources, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, Technology and Federal and Foreign Affairs	Request: 2/3/23  Waiver: 2/16/23	
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>PUBLIC LAW NO.</b>	<b>DATE SIGNED</b>	<b>NOTES</b>	
	3/27/23	AN ACT TO ADD A NEW SUBSECTION (m) TO SECTION 8501, ARTICLE 5, CHAPTER 8, TITLE 4 GUAM CODE ANNOTATED; AND, TO AMEND § 8503(c) OF ARTICLE 5, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE RETIREMENT OF PUBLIC SAFETY AND LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.	3/30/23	3/31/23	4/12/23	37-7	4/12/23	Received: 4/12/23 Messages and Communications Doc. No. 37GL-23-0379	

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via email to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

April 12, 2023

37GL-23-0379  
37GL-23-0380  
OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

HONORABLE THERESE M. TERLAJE, *Speaker*

*I Mina'trentai Siette Na Liheslaturan Guåhan*

37<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

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Re: Bill No. 27-37 (COR) - AN ACT TO ADD A NEW SUBSECTION (m) TO SECTION 8501, ARTICLE 5, CHAPTER 8, TITLE 4 GUAM CODE ANNOTATED; AND, TO AMEND § 8503(c) OF ARTICLE 5, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE RETIREMENT OF PUBLIC SAFETY AND LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM

Bill No. 37-37 (COR) - AN ACT TO NAME PUBLIC LAW 36-130 THE 'SENATOR JOSE 'PEDO' TERLAJE RETIREMENT ACT'

*Hafa Adai* Madame Speaker,

Senator Jose "Pedo" Terlaje devoted his life to our island community. In 2020, a few years before he passed on, Senator Pedro championed an enhanced retirement system for Guam's law enforcement and public safety officers. In recognition of his contributions to this effort, I am pleased to sign into law Bill No. 37-37, which names the law which created an earlier retirement age for uniformed law enforcement officers of the government of Guam, Public Law 36-130, the "Senator Jose 'Pedo' Terlaje Retirement Act."

Without Senator Pedro's tireless work over multiple legislatures, the deserving men and women of our law enforcement and public safety agencies would not have been granted the opportunity to retire at an earlier age without suffering a reduction in their retirement benefits. Senator Pedro understood that law enforcement and public safety officers have a shorter life expectancy than other government of Guam employees due to the rigorous mental, physical and emotional demands inherent in their field of work. He recognized that an enhanced retirement program would afford these brave individuals the opportunity to retire early and in a safe space—alongside their families. He also recognized that this group did not have access to the refined retirement system available to their federal and state counterparts.

To: Therese M. Terlaje, *Speaker*, 37<sup>th</sup> Guam Legislature  
Fr: Lourdes A. Leon Guerrero, *Governor of Guam*  
Date: April 12, 2023  
Re: Bill No. 27-37 (COR) and Bill No. 37-37 (COR)

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Senator Pedo also endures with the passage of Bill No. 27-37, which clarifies the definition of public safety and law enforcement officers who are eligible to retire early without a reduction or negative impact on their retirement. This clarification was necessary to allow the Government of Guam Retirement Fund to properly implement the early retirement provisions for public safety and law enforcement officers created under the Senator Jose “Pedo” Terlaje Retirement Act. This is consistent with Senator Pedo’s belief that we should never lose sight of the courage and sacrifice exhibited by all the brave law enforcement and public safety officers who serve every branch of our government. With this amendment, all these men and women will receive enhanced retirement benefits, in furtherance of Senator Pedo’s work in this area, and in honor of his lasting legacy.

For these reasons, I sign Bill Nos. 27-37 (COR) and 37-37 (COR) into law as Public Laws 37-7 and 37-8, respectively.

*Senseremente,*



**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*

Governor of Guam

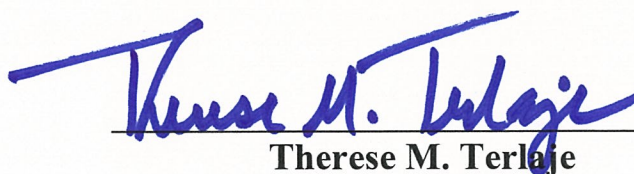
Enclosure: Bill No. 27-37 (COR) *nka P.L. No. 37-7*  
Bill No. 37-37 (COR) *nka P.L. No. 37-8*

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam  
Compiler of Laws

*I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN*  
2023 (FIRST) Regular Session

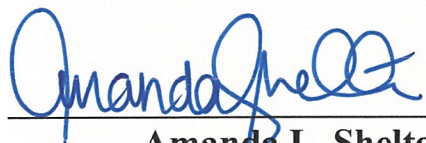
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN**

This is to certify that **Bill No. 27-37 (COR)**, “AN ACT TO ADD A NEW SUBSECTION (m) TO SECTION 8501, ARTICLE 5, CHAPTER 8, TITLE 4 GUAM CODE ANNOTATED; AND, TO AMEND § 8503(c) OF ARTICLE 5, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE RETIREMENT OF PUBLIC SAFETY AND LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM,” was on the 30<sup>th</sup> day of March 2023, duly and regularly passed.



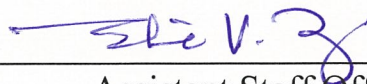
Therese M. Terlaje  
Speaker

Attested:



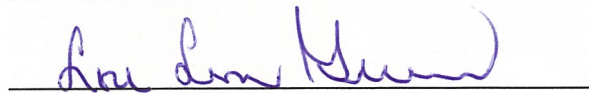
Amanda L. Shelton  
Legislative Secretary

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This Act was received by *I Maga'hågan Guåhan* this 31<sup>st</sup> day of March,  
2023, at 3:28 o'clock P.M.



Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:



Lourdes A. Leon Guerrero  
*I Maga'hågan Guåhan*

Date: 4/12/2023

Public Law No. 37-7

2023-18955  
RCUD AT CENTRAL FILES  
MAR 31 '23 PM3:28

Elaine Tajalle

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUAHAN***  
**2023 (FIRST) REGULAR SESSION**

**Bill No. 27-37 (COR)**

As amended by the Committee on  
Human Resources, *Hagåtña* Revitalization,  
Regional Affairs, Public Libraries,  
Telecommunications, Technology  
and Federal and Foreign Affairs.

Introduced by:

Tina Rose Muña Barnes  
Joe S. San Agustin  
Roy A. B. Quinata  
Dwayne T. D. San Nicolas  
Amanda L. Shelton  
William A. Parkinson  
Chris Barnett  
Frank Blas, Jr.  
Joanne Brown  
Christopher M. Dueñas  
Thomas J. Fisher  
Jesse A. Lujan  
Sabina Flores Perez  
Telo T. Taitague  
Therese M. Terlaje

**AN ACT TO *ADD* A NEW SUBSECTION (m) TO  
SECTION 8501, ARTICLE 5, CHAPTER 8, TITLE 4  
GUAM CODE ANNOTATED; AND, TO *AMEND* § 8503(c)  
OF ARTICLE 5, CHAPTER 8, TITLE 4, GUAM CODE  
ANNOTATED, RELATIVE TO THE RETIREMENT OF  
PUBLIC SAFETY AND LAW ENFORCEMENT  
OFFICERS WHO ARE MEMBERS OF THE DEFINED  
BENEFIT 1.75 RETIREMENT SYSTEM.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Defined Benefit 1.75 Retirement System of the Government of Guam

1 Retirement Fund (the DB 1.75 Plan) was established in 2016 to be comprised of  
2 membership under the Guam Retirement Fund established under Article 1, Chapter  
3 8, Title 4, Guam Code Annotated (the DB Plan) and the Deferred Compensation  
4 Program established under Article 3, Chapter 8, Title 4, Guam Code Annotated. The  
5 DB 1.75 Plan, established under Article 5, Chapter 8, Title 4, Guam Code Annotated,  
6 became effective in 2018 as the retirement program, not a separate fund or trust, for  
7 government of Guam employees in the Defined Contribution Retirement System,  
8 established under Article 2, Chapter 8, Title 4, Guam Code Annotated (the DC Plan),  
9 to transfer to the DB 1.75 Plan upon timely election.

10 *I Liheslaturan Guåhan* further finds that Public Law No. 36-130:7 amended  
11 Section 8503(c), Title 4, Guam Code Annotated, to provide DB 1.75 Plan members  
12 who are public safety and law enforcement officers, as defined in Chapter 51 of Title  
13 17 and Chapter 55 of Title 10, Guam Code Annotated, with the opportunity to  
14 receive unreduced service retirement annuities, after written application to, and  
15 approval by, the Retirement Fund Board of Trustees.

16 *I Liheslaturan Guåhan* further finds that defining “public safety and law  
17 enforcement” officers by reference to Chapter 51 of Title 17 (Peace Officer  
18 Standards and Training Commission) and Chapter 55 of Title 10 (Health and Safety  
19 General Provisions), Guam Code Annotated, has resulted in the unintended  
20 consequences of (a) inadvertently omitting eligibility for positions with shorter life  
21 expectancies, such as firefighters of the Antonio B. Won Pat International Airport  
22 Authority; and (b) inadvertently expanding eligibility for positions without shorter  
23 life expectancies, such as all employees in the Office of the Attorney General, which  
24 is contrary to the oral and written testimony submitted in “qualified” support of Bill  
25 No. 346-36 by the Office of the Attorney General, requesting only that its  
26 investigators, as law enforcement officers, be included for eligibility.

1           Based on these findings, *I Liheslaturan Guåhan* intends to add a new  
2 subsection (m) to the definitions in the DB 1.75 Plan at Section 8501, Title 4, Guam  
3 Code Annotated. The new definition of “Public safety and law enforcement officers”  
4 in the DB 1.75 Plan is based on the existing definition of “Uniformed Personnel” in  
5 the DB Plan, Section 8104(p), Title 4, Guam Code Annotated, but expanded to  
6 include inspectors and investigators in the Office of the Attorney General and in the  
7 Department of Revenue & Taxation, consistent with the findings and intent of *I*  
8 *Liheslaturan Guåhan* in passing Bill No. 346-36.

9           *I Liheslaturan Guåhan* also intends to amend Section 8503(c) of Article 5,  
10 Chapter 8, Title 4, Guam Code Annotated, to make it clear which positions are  
11 included under the definition of Public safety and law enforcement officers.

12           **Section 2.** A new subsection (m) is hereby *added* to Section 8501, Article  
13 5, Chapter 8, Title 4, Guam Code Annotated, to read:

14           “(m) Public safety and law enforcement officers means Guam Police  
15 Department Officers; Guam Fire Department Firemen; Customs and  
16 Quarantine Officers of the Customs and Quarantine Agency; Conservation  
17 Officers, Commodity Inspectors, and Entomologists of the Department of  
18 Agriculture; Territorial Park Patrol Officers of the Department of Parks and  
19 Recreation; Corrections Officers and Parole Officers of the Department of  
20 Corrections; Airport Police Officers and Security Personnel at the Antonio B.  
21 Won Pat International Airport Authority, Guam; Jose D. Leon Guerrero  
22 Commercial Port Security personnel; Marshals of the Supreme Court of Guam  
23 and the Superior Court of Guam; Probation Officers of the Judiciary of Guam;  
24 and Firefighters of the Antonio B. Won Pat International Airport Authority,  
25 Guam; Youth Service Workers of the Department of Youth Affairs engaged  
26 in juvenile detention and rehabilitation; Inspectors and Investigators in the

1 Office of the Attorney General; and Inspectors and Investigators in the  
2 Department of Revenue & Taxation.”

3 **Section 3.** Section 8503(c) of Article 5, Chapter 8, Title 4, Guam Code  
4 Annotated, as *amended* by Public Law No. 36-130:7, is hereby further *amended* to  
5 read:

6 “(c) Retirement. Notwithstanding the otherwise applicable retirement  
7 requirements under §§ 8119 through 8120.1 or other successor provisions, a  
8 Defined Benefit 1.75 Plan member may retire on a service retirement annuity  
9 under the Retirement Fund, upon written application to and approval by the  
10 Board; provided that such member shall have attained at least sixty-two (62)  
11 years of age and has completed five (5) years of service. However, at the  
12 option of the Defined Benefit 1.75 Plan member, whether active or inactive,  
13 such member may retire after (1) attaining at least fifty-five (55) years of age  
14 and (2) completing twenty-five (25) years of service, in which case the  
15 retirement annuity for such member shall be reduced one half (1/2) of one  
16 percent (1%) for each month such member is under the age of sixty-two (62)  
17 years at such time of retirement, from the amount of the retirement annuity  
18 determined for such member as of his attainment of age sixty-two (62).

19 Notwithstanding the foregoing portion of this § 8503(c), and  
20 notwithstanding the otherwise applicable retirement requirements under §§  
21 8119 through 8120.1 or other successor provisions, a Defined Benefit 1.75  
22 Plan member who is a public safety and law enforcement officer as defined in  
23 § 8501(m) of this Chapter, and who is an active employee on or after January  
24 1, 2024, may retire on a service retirement annuity under the Retirement Fund,  
25 upon written application to and approval by the Board; provided that such  
26 member shall have either (1) attained at least fifty-five (55) years of age and  
27 completed twenty-five (25) years of service or (2) attained at least fifty-seven



1 (57) years of age and completed five (5) years of service. The retirement  
2 annuity for such member shall not be subject to the reduction which is  
3 described in the preceding paragraph.”

4 **Section 4. Severability.** If any provision of this Act or its application to any  
5 person or circumstance is found to be invalid or inorganic, such invalidity shall not  
6 affect other provisions or applications of this Act that can be given effect without  
7 the invalid provision or application, and to this end the provisions of this Act are  
8 severable.

9 **Section 5. Effective Date.** Except as expressly provided herein, this Act upon  
10 enactment shall be effective retroactively as of December 27, 2022, the effective  
11 date of Public Law No. 36-130.