

I Mina'Trentai Singko Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
6-35 (LS)	Telo T. Taitague	AN ACT TO REPEAL § 8172 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE RESPONSIBLE USE OF TAXPAYER FUNDS THROUGH THE ELIMINATION OF AUTOMATIC RETIREMENT BENEFITS FOR ELECTIVE GUAM GOVERNORS, LIEUTENANT GOVERNORS, AND THEIR SURVIVORS.	1/7/19 11:20 a.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
2019 (FIRST) Regular Session

Bill No. G-35(LS)

Introduced by: _____

Telo T. Taitague 

AN ACT TO REPEAL § 8172 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE RESPONSIBLE USE OF TAXPAYER FUNDS THROUGH THE ELIMINATION OF AUTOMATIC RETIREMENT BENEFITS FOR ELECTIVE GUAM GOVERNORS, LIEUTENANT GOVERNORS, AND THEIR SURVIVORS.

2019 JAN - 7 AM 11: 20 

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

2 **Section 1.** § 8172 of Article 1, Chapter 8, Title 4, Guam Code Annotated,

3 is hereby *repealed* in its entirety:

4 ~~“§ 8172. Retirement and Other Benefits Coverage of Elective Guam~~

5 ~~Governor, Lieutenant Governor and Their Survivors.~~

6 ~~Notwithstanding any provisions of this Chapter to the contrary:~~

7 ~~(a) Any person who is elected Governor or Lieutenant~~

8 ~~Governor may retire following the completion of his term of office as~~

9 ~~the Governor or Lieutenant Governor of the territory of Guam. He~~

10 ~~shall be paid from the Retirement Fund by appropriation made by the~~

11 ~~Legislature notwithstanding the amount of his contributions thereto an~~

12 ~~annual pension during the remainder of his life in an amount equal to~~

1 ~~and not to exceed fifty percent (50%) of the annual salary of the~~
2 ~~Governor or Lieutenant Governor at the time he retires.~~

3 ~~(b) If a Governor or Lieutenant Governor shall become~~
4 ~~physically or otherwise incapacitated he may make application for the~~
5 ~~pension provided for in the preceding paragraph and be eligible to~~
6 ~~receive such annual pension for the same amount without regard to~~
7 ~~age.~~

8 ~~(c) Whenever any person who is or has been an elected~~
9 ~~Governor or Lieutenant Governor shall die and leave a widow~~
10 ~~surviving him, an annuity shall be paid to such surviving widow, in an~~
11 ~~amount equal to and not to exceed twenty percent (20%) of the annual~~
12 ~~salary received by the deceased husband while in office.~~

13 ~~(d) In implementing this Chapter with regard to determining~~
14 ~~annuities, survivors' benefits and death benefits, the provisions of law~~
15 ~~set forth in Chapter 8 of the Government Code Annotated, as~~
16 ~~amended, shall control.~~

17 ~~(e) Any elected Governor or Lieutenant Governor may elect to~~
18 ~~receive other retirement benefits pursuant to Chapter 8 of the~~
19 ~~Government Code Annotated and upon so electing shall waive the~~
20 ~~benefits provided by this Chapter.~~

21 ~~(f) (1) Annually, on or before the start of a fiscal year, the~~
22 ~~Director of the Government of Guam Retirement Fund shall certify to~~
23 ~~the Director of the Bureau of Budget and Management Research the~~
24 ~~amount required to implement the provisions of this Section (but not~~
25 ~~to include the cost of benefits to be made pursuant to Chapter III, Title~~
26 ~~V of the Government Code of Guam).~~

1 ~~(A) Upon the acceptance of the amount so certified by~~
2 ~~the Director of Bureau of Budget and Management Research,~~
3 ~~said amount shall become an appropriation of the~~
4 ~~Unappropriated Surplus of the General Fund of the government~~
5 ~~of Guam and, accordingly, shall be so recorded in the books of~~
6 ~~accounts of the General Fund.~~

7 ~~(B) Upon the release of the appropriation by the Director~~
8 ~~of the Bureau of Budget and Management Research, the~~
9 ~~Treasurer of Guam shall pay said amount to the Government of~~
10 ~~Guam Retirement Fund in increments provided by the release~~
11 ~~of the Director of the Bureau of Budget and Management~~
12 ~~Research. (2) Within thirty (30) days after the appropriation is~~
13 ~~made hereunder, a copy of the instrument thereof shall be~~
14 ~~furnished to the Guam Legislature.”~~

15
16 **Section 2. Severability.** *If* any provision of this Act or the application to
17 any person or circumstance is found to be invalid or contrary to law, such
18 invalidity *shall not* affect other provisions or applications of this Act that can be
19 given effect without the invalid provision or application, and to this end the
20 provisions of this Act are severable.