

*Government of Guam Retirement
Fund*

***MEMBERS' AND BENEFITS
COMMITTEE***

***NOVEMBER, 2006
END OF MONTH REPORT***



George A. Santos
Members' & Benefits Committee, Chairman

Katherine T.E. Taitano
Members' & Benefits Committee, Vice-Chairperson

Gerard A. Cruz
Trustee

December 15, 2006

MEMORANDUM

TO: Chairman, Board of Trustees
Government of Guam Retirement Fund

FROM: Chairman, Members' and Benefits Committee
Government of Guam Retirement Fund

SUBJECT: November, 2006 - End of Month Report

Please find attached the Members' and Benefits Committee's November, 2006 End of Month Report. This report accurately highlights the significant activities and action items reviewed and administered to during the November period.

Should you require further information concerning this report, feel free to contact me at your earliest convenience.

GEORGE A. SANTOS

I. TOTAL MEMBERS SERVED:

A. No. of Active Members

1.	Defined Benefits	4,279	
2.	Defined Contributions	<u>6,158</u>	
			10,437

B. No. of Retirees

1.	Defined Benefits	6,857	
2.	Defined Contributions	<u>160</u>	
			<u>7,017</u>

17,454

II. TOTAL STAFFING:

A. Benefit Services Department

1.	Budget 2006	10	
	Actual		9

B. Members' Services Division

1.	Budget 2006	10	
	Actual		10

III. TOTAL CASES PENDING

A.	Section 8119 Applicants Pre 10/01/81	20/25/60	
	Section 8120 Applicants Post 10/01/81	25/30/60	
	Section 8120.1 Applicants Post 08/22/84	25/30/65	
1.	Age Retirement		
	A. Regular	6	
	B. ERIP	0	
	C. Optional	1	7
2.	Service Retirement		
	A. Regular	13	
	B. ERIP	1	14
B.	Section 8123 Applicants Medical Disability		8
C.	Section 8126 Applicants Medical Disability Appeals		2
D.	Section 8130 Applicants Deferred Age		3
E.	Section 8134 Applicants		
	(a) Surviving Spouse		5
	(a).3 Minor Children		0
	(a)4C Disabled Adult Survivor		0
F.	New Retirees	(Nos. 947-981)	<u>35</u>
TOTAL CASES REVIEWED			74

IV. REVIEW AND FINDINGS

Based on our review and findings during our meeting of November 16, 2006, the following applications are recommended for **APPROVAL** to the Board of Trustees:

A. SECTION 8119, 8120, 8120.1

1. Optional Retirement Applicant

a.	Name:	Veronica C. Garrido
	Date of Birth:	
	Department:	Guam Public School System
	Length of Service:	22 Years 03 Months 15 Days
	Service Factor:	22.291
	Average Annual Salary:	\$56,136.17
	Annual Annuity:	\$24,703.44
	Percentage Earned:	44.0062797
	Effective Date:	October 01, 2006

2. Age Retirement Applicant (§8119 prior to 10/01/81)

a.	Name:	Edith A. Manalisay
	Date of Birth:	
	Department:	Guam Public School System
	Length of Service:	15 Years 10 Months 00 Days
	Service Factor:	15.833
	Average Annual Salary:	\$25,223.78
	Annual Annuity:	\$ 8,723.04
	Percentage Earned:	34.5826041
	Effective Date:	October 01, 2006

3. Age Retirement Applicants (§8120 after 10/01/81)

a. Name Patty J. Acfalle
Date of Birth:
Department: Guam Community College
Length of Service: 25 Years 07 Months 00 Days
Service Factor: 25.583
Average Annual Salary: \$32,882.76
Annual Annuity: \$19,386.96
Percentage Earned: 58.9578247
Effective Date: October 01, 2006

b. Name: Lucia F. Maanao
Date of Birth:
Department: Department of Labor
Length of Service: 24 Years 07 Months 15 Days
Service Factor: 24.625
Average Annual Salary: \$50,667.45
Annual Annuity: \$28,658.88
Percentage Earned: 56.5627044
Effective Date: October 01, 2006

4. Age Retirement Applicants (§8120.1 after 08/22/84)

a. Name: Pedro M. Asuncion
Date of Birth:
Department: Guam Water Works Authority
Length of Service: 18 Years 10 Months 15 Days
Service Factor: 18.875
Average Annual Salary: \$45,317.79
Annual Annuity: \$19,118.40
Percentage Earned: 42.1874058
Effective Date: October 01, 2006

b. Name: Jesus C. Pablo
Date of Birth:
Department: Guam Power Authority
Length of Service: 16 Years 10 Months 00 Days
Service Factor: 16.833
Average Annual Salary: \$32,290.16
Annual Annuity: \$11,974.08
Percentage Earned: 37.0827521
Effective Date: October 01, 2006

c. Name: Florita G. Simbre
Date of Birth:
Department: Guam Public School System
Length of Service: 17 Years 08 Months 00 Days
Service Factor: 17.666
Average Annual Salary: \$28,935.32
Annual Annuity: \$11,332.56
Percentage Earned: 39.1651448
Effective Date: October 01, 2006

5. Service Retirement Applicants (§8119. Prior to 10/01/81)

a. Name: Carlos N. Atoigue
Date of Birth:
Department: Guam Water Works Authority
Length of Service: 30 Years 00 Months 00 Days
Service Factor: 30.000
Average Annual Salary: \$42,322.91
Annual Annuity: \$29,626.08
Percentage Earned: 70.0001015
Effective Date: October 01, 2006

- b. Name: Linda Rose M. Cruz
Date of Birth:
Department: Guam Public School System
Length of Service: 25 Years 03 Months 00 Days
Service Factor: 25.250
Average Annual Salary: \$28,464.03
Annual Annuity: \$16,544.64
Percentage Earned: 58.1247279
Effective Date: October 01, 2006
- c. Name: Minerva A. Del Banco
Date of Birth:
Department: Public Health & Social Services
Length of Service: 27 Years 08 Months 00 Days
Service Factor: 27.666
Average Annual Salary: \$55,058.40
Annual Annuity: \$35,328.24
Percentage Earned: 64.1650320
Effective Date: October 01, 2006
- d. Name: Drake V. Ibanez
Date of Birth:
Department: Dept of Revenue & Taxation
Length of Service: 36 Years 00 Months 00 Days
Service Factor: 36.000
Average Annual Salary: \$46,947.20
Annual Annuity: \$39,905.04
Percentage Earned: 84.9998295
Effective Date: October 01, 2004

- e. Name: Maria L. Laurel
Date of Birth:
Department: Guam Public School System
Length of Service: 25 Years 09 Months 00 Days
Service Factor: 25.750
Average Annual Salary: \$27,116.14
Annual Annuity: \$16,100.16
Percentage Earned: 59.3748225
Effective Date: October 08, 2005
- f. Name: Faye F. Lopez
Date of Birth:
Department: Guam Public School System
Length of Service: 27 Years 05 Months 00 Days
Service Factor: 27.416
Average Annual Salary: \$35,750.62
Annual Annuity: \$22,716.00
Percentage Earned: 63.5401567
Effective Date: October 01, 2006
- g. Name: Mary B. Mafnas
Date of Birth:
Department: Guam Public School System
Length of Service: 27 Years 11 Months 15 Days
Service Factor: 27.958
Average Annual Salary: \$66,110.43
Annual Annuity: \$42,902.40
Percentage Earned: 64.8950551
Effective Date: August 01, 2004
- h. Name: Elizabeth P. Martinez
Date of Birth:
Department: Guam Public School System
Length of Service: 26 Years 01 Month 00 Days
Service Factor: 26.083
Average Annual Salary: \$31,151.37
Annual Annuity: \$18,755.52
Percentage Earned: 60.2076891
Effective Date: October 01, 2006

- i. Name: Cecilia B. Mendiola
Date of Birth:
Department: Public Health & Social Services
Length of Service: 25 Years 02 Months 00 Days
Service Factor: 25.166
Average Annual Salary: \$29,543.26
Annual Annuity: \$17,110.08
Percentage Earned: 57.9153417
Effective Date: October 01, 2006
- j. Name: Arlinda J. Mesa
Date of Birth:
Department: Guam Community College
Length of Service: 25 Years 02 Months 15 Days
Service Factor: 25.208
Average Annual Salary: \$30,850.85
Annual Annuity: \$17,899.68
Percentage Earned: 58.0200545
Effective Date: October 01, 2006
- k. Name: Mae C. Nowell
Date of Birth:
Department: Guam Public School System
Length of Service: 26 Years 10 Months 00 Days
Service Factor: 26.833
Average Annual Salary: \$51,626.70
Annual Annuity: \$32,051.04
Percentage Earned: 62.0822946
Effective Date: August 12, 2006
- l. Name: Teresita T. Perez
Date of Birth:
Department: University of Guam
Length of Service: 27 Years 02 Months 15 Days
Service Factor: 27.208
Average Annual Salary: \$58,307.60
Annual Annuity: \$36,745.44
Percentage Earned: 63.0199836
Effective Date: October 01, 2006

m. Name: Linda C. San Nicolas
Date of Birth:
Department: Department of Labor
Length of Service: 31 Years 04 Months 00 Days
Service Factor: 31.333
Average Annual Salary: \$48,776.10
Annual Annuity: \$35,768.64
Percentage Earned: 73.3323082
Effective Date: July 01, 2006

6. Service Retirement Applicant (Early Retirement Incentive Program)

a. Name: Marilou B. Yamanaka
Date of Birth:
Department: **Guam Environmental Protection Agency**
Length of Service: 32 Years 10 Months 15 Days
Service Factor: 32.875
Average Annual Salary: \$66,653.29
Annual Annuity: \$51,448.08
Percentage Earned: 77.1876076
Effective Date: January 01, 2000

B. SECTION 8123 - Disability Retirement Applicants

1. Name: Beatriz S. Dydasco
Date of Birth:
Department: Port Authority of Guam
Length of Service: 20 Years 01 Month 00 Days
Date of Application: May 09, 2006

2. Name: Margaret N. Venzlauskas-Santiago
Date of Birth:
Department: Guam Police Department
Length of Service: 15 Years 11 Months 15 Days
Date of Application: December 21, 2005

C. SECTION 8130 (Age/Deferred Age) Annuity Applicants WITHOUT Survivor Annuity Benefits

- a. Name: Frank B. James
Date of Birth:
Department: **Guam Housing & Urban Renewal Authority**
Length of Service: 12 Years 00 Months 00 Days
Service Factor: 12.000
Average Annual Salary: \$23,022.97
Annual Annuity: \$ 5,755.68
Percentage Earned: 24.9997285
Effective Date: October 01, 2006
- b. Name: Lisa Santucci
Date of Birth:
Department: Guam Public School System
Length of Service: 08 Years 04 Months 15 Days
Service Factor: 8.375
Average Annual Salary: \$41,282.55
Annual Annuity: \$ 6,914.88
Percentage Earned: 16.7501280
Effective Date: July 13, 2006
- c. Name: Richard T. Saville
Date of Birth:
Department: Department of Corrections
Length of Service: 13 Years 09 Months 00 Days
Service Factor: 13.750
Average Annual Salary: \$53,467.44
Annual Annuity: \$15,706.08
Percentage Earned: 29.3750364
Effective Date: August 20, 2006

D. SURVIVIOR ANNUITY BENEFIT APPLICANTS

1. Surviving Spouse Annuity (a) (Regular §8119. Prior to 10/10/81)
 - a. Name: Fred J. Afleje
Date of Death: September 23, 2006
Annuity due Decease: \$17,410.80
Surviving Spouse: Doris A. Afleje
Survivor's Annuity: \$ 8,705.52
Percentage Earned: 50%
Effective Date: September 23, 2006
 - b. Name: Joaquin A. Bautista
Date of Death: September 24, 2006
Annuity due Decease: \$23,676.24
Surviving Spouse: Frances M. Bautista
Survivor's Annuity: \$11,838.24
Percentage Earned: 50%
Effective Date: September 24, 2006
 - c. Name: Marden T. Pillette
Date of Death: August 26, 2006
Annuity due Decease: \$16,727.28
Surviving Spouse: Tuffy Q. Pillette
Survivor's Annuity: \$ 8,363.76
Percentage Earned: 50%
Effective Date: August 26, 2006
 - d. Name: John Y. Salas
Date of Death: September 15, 2006
Annuity due Decease: \$11,000.64
Surviving Spouse: Antonia P. Salas
Survivor's Annuity: \$ 5,500.32
Percentage Earned: 50%
Effective Date: September 15, 2006

e.	Name:	Barbara T. Santos
	Date of Death:	October 12, 2006
	Annuity due Decease:	\$11,965.44
	Surviving Spouse:	Johnnie E. Santos
	Survivor's Annuity:	\$ 5,982.72
	Percentage Earned:	50%
	Effective Date:	October 12, 2006

E. Supplemental Listing of New Retirees and Finalized Retirement Annuities

947	Name	Marilou B. Yamanaka
	Date of Birth	
	Department	Guam Environmental Protection Agency
	Effective Date	January 01, 2000
948	Name	John S. San Agustin
	Date of Birth	
	Department	Department of Parks & Recreation
	Effective Date	May 14, 2005
949	Name	Lisa Santucci
	Date of Birth	
	Department	Guam Public School System
	Effective Date	July 13, 2006
950	Name	Cecilia D. Datuin
	Date of Birth	
	Department	Superior Court of Guam
	Effective Date	August 01, 2006
951	Name	Richard T. Saville
	Date of Birth	
	Department	Department of Corrections
	Effective Date	August 20, 2006
952	Name	Tuffy Q. Pillette
	Surviving Spouse of	Marden T. Pillette
	Department	Guam Community College
	Effective Date	August 26, 2006

953	Name Surviving Spouse of Department Effective Date	Antonia P. Salas John Y. Salas Guam Water Works Authority September 15, 2006
954	Name Surviving Spouse of Department Effective Date	Doris A. Afleje Fred J. Afleje Guam Community College September 23, 2006
955	Name Surviving Spouse of Department Effective Date	Frances M. Bautista Joaquin A. Bautista Department of Public Works September 24, 2006
956	Name Date of Birth Department Effective Date	Patty J. Acfalle Guam Community College October 01, 2006
957	Name Date of Birth Department Effective Date	Pedro M. Asuncion Guam Water Works Authority October 01, 2006
958	Name Date of Birth Department Effective Date	Carlos N. Atoigue Guam Water Works Authority October 01, 2006
959	Name Date of Birth Department Effective Date	Regina R. Basbas Public Health & Social Services October 01, 2006
960	Name Date of Birth Department Effective Date	John LG Cruz Guam Community College October 01, 2006

961	Name	Linda Rose M. Cruz
	Date of Birth	
	Department	Guam Public School System
	Effective Date	October 01, 2006
962	Name	Pito Q. Cruz
	Date of Birth	
	Department	Superior Court of Guam
	Effective Date	October 01, 2006
963	Name	Minerva A. Del Banco
	Date of Birth	
	Department	Public Health & Social Services
	Effective Date	October 01, 2006
964	Name	Gus F. Diaz
	Date of Birth	
	Department	Department of Law
	Effective Date	October 01, 2006
965	Name	Evelyn C. Fejeran
	Date of Birth	
	Department	Guam Public School System
	Effective Date	October 01, 2006
966	Name	Veronica C. Garrido
	Date of Birth	
	Department	Guam Public School System
	Effective Date	October 01, 2006
967	Name	Frank B. James
	Date of Birth	
	Department	Guam Housing & Urban Renewal Authority
	Effective Date	October 01, 2006
968	Name	David B. Lastimoza
	Date of Birth	
	Department	Guam Water Works Authority
	Effective Date	October 01, 2006

969	Name	Rita S. Leon Guerrero
	Date of Birth	
	Department	Guam Public School Systems
	Effective Date	October 01, 2006
970	Name	Faye F. Lopez
	Date of Birth	
	Department	Guam Public School System
	Effective Date	October 01, 2006
971	Name	Lucia F. Maanao
	Date of Birth	
	Department	Department of Law
	Effective Date	October 01, 2006
972	Name	Edith A. Manalisay
	Date of Birth	
	Department	Guam Public School System
	Effective Date	October 01, 2006
973	Name	Elizabeth F. Martinez
	Date of Birth	
	Department	Public Health & Social Services
	Effective Date	October 01, 2006
974	Name	Cecilia B. Mendiola
	Date of Birth	
	Department	Guam Public School Systems
	Effective Date	October 01, 2006
975	Name	Arlinda J. Mesa
	Date of Birth	
	Department	Guam Community College
	Effective Date	October 01, 2006
976	Name	Jesus C. Pablo
	Date of Birth	
	Department	Guam Power Authority
	Effective Date	October 01, 2006

977	Name	Ignacio J. Pangelinan
	Date of Birth	
	Department	Guam Public School Systems
	Effective Date	October 01, 2006
978	Name	Teresita T. Perez
	Date of Birth	
	Department	University of Guam
	Effective Date	October 01, 2006
979	Name	Henry C. Schilling, III
	Date of Birth	
	Department	Guam Community College
	Effective Date	October 01, 2006
980	Name	Florita G. Simbre
	Date of Birth	
	Department	Guam Public School Systems
	Effective Date	October 01, 2006
981	Name	Johnnie E. Santos
	Surviving Spouse of	Barbara T. Santos
	Department	Guam Public School System
	Effective Date	October 12, 2006

V. REVIEW AND FINDINGS

Based on our review and findings during our meeting of November 15, 2006 the following application is recommended for **DISAPPROVAL** to the Board of Trustees:

A. Section 8123 - Disability Retirement Applicants

1.	Name	David T. Perez, Jr.
	Date of Birth	
	Department	Department of Administration
	Length of Service	15 Years 00 Months 00 Days
	Date of Application	June 08, 2006

2. Name Ricardo C. Sablan
Date of Birth
Department Guam Public School Systems
Length of Service 13 Years 10 Months 15 Days
Date of Application July 05, 2006

B. SECTION 8126 - Disability Retirement Applicant (Appeal)

1. Name Jesse M. Fernandez
Date of Birth
Department Guam Power Authority
Length of Service 19 Years 01 Month 00 Days
Date of Application February 12, 2004

VI. REVIEW AND FINDINGS

Based on our review and finding during our meeting of November 15, 2006 and continuing meetings pertaining thereto, the following actions have been taken by the members & Benefits Committee:

a. **COR 06-2 RE: Carl T.C. Gutierrez**

Request:

To put a hold on “Enhancement Adjustment” until appeal is resolved.

Discussion:

On August 15, 2006, the Retirement Fund adjusted Mr. Gutierrez’s annuity by removing the enhancement credit. Mr. Gutierrez requested that the Fund reinstate his enhancement until his appeal has been resolved. The Fund’s legal counsel states that the Fund may maintain the reduced annuity until the appeal process has been completed. Legal counsel provided guidance and options for the administrative appeal process that the Board could take: 1) Position/brief without a hearing; 2) A hearing with witnesses; and 3) Position/brief with the possibility of a hearing. The M&B committee members discussed the options presented.

Findings:

The M& B Committee found that in order for Mr. Gutierrez’s enhancement to be reinstated, all employer and employee contributions would need to be paid on Mr. Gutierrez’s behalf.

The Fund received payment for the employer (GovGuam) share of the contributions on behalf of Mr. Gutierrez and payment of the employee (Mr. Gutierrez’s) contributions is pending.

The M&B Committee reaffirms their position made at the Oct. 18, 2006 meeting not to reinstate Mr. Gutierrez’s annuity until all contributions are paid and the Fund has been made whole.

The M&B Committee will allow the appeal process to move forward and request that Mr. Gutierrez present his position in writing to the Committee. The Fund will send notice of the appeal date to Mr. Gutierrez after the Board's concurrence.

b. COR 06-03 RE: Carl T.C. Gutierrez

Request:

Mr. R.F. Cunliffe, attorney for Mr. Gutierrez, demands that the Fund reimburse (Carl T.C. Gutierrez) for his Attorney fees.

Discussion:

The Director presented the M&B Committee with a request from Mr. Cunliffe to reimburse Mr. Gutierrez for his attorney fees. The Committee discussed the draft response from the Director regarding the attorney fees.

Findings:

The M&B Committee finds that the response from the Director is in order and instructs management to send the letter once the Board has approved the M&B Committee recommendation.

IV. REVIEW AND FINDINGS

Based on our review and findings during our meeting of November 15, 2006 and continuing meetings pertaining thereto the following actions are recommended to the Board of Trustees:

a. COR 06-5 RE: Victor F. Reyes

Request:

Mr. Reyes is requesting clarification with respect to the termination of his disability annuity benefits as of November 30, 1991.

Service History:

Sept. 23, 1970 to Oct. 10, 1972	Dept of Education	Member
Sept. 09, 1973 to Aug. 26, 1983	Port Authority of Guam	Member / Disability Retiree

Discussion:

Mr. Reyes was granted disability retirement annuity commencing August 23, 1983. Disability annuitants are required, pursuant to Retirement Laws, to undergo periodic physical examination performed by a licensed physician. A medical examination report processed on August 20, 1990 by Dr. Jesse Ada concluded that Mr. Reyes is not totally and permanently disabled from performance of duties for any assigned positions in the service of the government. Mr. Reyes was notified by the Fund of these findings in a letter dated February 07, 1991. The Law Offices of Brooks & Brooks was retained by Mr. Reyes to represent him in the appeal process. Upon conclusion of the appeal hearing, the Board of Trustees reiterates their findings and decision in a letter dated September 30, 1991.

Findings:

Mr. Reyes is not totally and permanently disabled from performance of duties, therefore, we recommend reaffirming the previous Board of Trustees decision to terminate disability benefits based on the medical examination report of August 20, 1991.

b. COR 06-6 RE: June M. Borja

Request:

Mrs. Borja is petitioning for Minor Child Survivor benefits pursuant to §8134, Chapter 8, Title 4 GCA (RE: Felipe P. Garrido - Deceased Retiree August 19, 1995)

Service History:

Aug. 08, 1974 to May 28, 1992	Dept of Administration	Member
May 29, 1992 to Aug. 19, 1995	Disability Retiree	Deceased

Discussion:

Upon the death of Mr. Garrido in August, 1995, his then common-law spouse, Ms. Isabel C. Cruz made inquiry for surviving minor child benefits. File notes indicate petition of guardianship and birth certificate for minor child June M. Cruz (Borja) were pending submission to the Fund,

The Fund receives a copy of the guardianship petition on April 17, 2000, which further orders the Territorial Registrar at the Department of Public Health and Social Services to re-issue a birth certificate that reflects Mr. Garrido as the natural father of June M. Cruz (Borja). There is no evidence that such re-issued birth certificate was submitted thereafter. Thus, renders the application for benefits at status quo.

Subsequent to Mrs. Borja's letter dated October 12, 2006, she was contacted by the Acting Benefits Program Administrator with regards to providing the Fund with a re-issuance of the birth certificate pursuant to the court order. Mrs. Borja submits the revised birth certificate to the Fund on October 31, 2006.

Findings:

Mrs. Borja is entitled to the surviving minor child benefits pursuant to 8134, Chapter 8, Title 4 GCA with receipt of the required documents; we recommend **APPROVING** the retroactive benefits from the August 19, 1995 date of death of Mr. Felipe P. Garrido through June 29, 1997, attainment of age eighteen (18) by Mrs. June M. Cruz (Borja)

