

4 GCA PUBLIC OFFICERS & EMPLOYEES
CH. 7 DECEASED EMPLOYEE'S ACCOUNTS

CHAPTER 7
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§ 7101. Definitions.

§ 7102. Designation of Beneficiary; Order of Precedence.

§ 7101. Definitions.

For purposes of this Chapter:

- (1) *Employee* means all employees of the government of Guam.
- (2) *Money due* means the pay and allowances due on account of the services of a deceased employee of the government of Guam.

It includes the following:

- (A) Per diem and amounts due in reimbursement of travel expenses;
- (B) Overtime or premium pay;
- (C) Payments for accrued annual and sick leave;
- (D) Amounts of checks drawn for pay which were not delivered to the employee during his lifetime;
- (E) Amounts of un-negotiated checks returned to the Government because of the death of the employee.

It does *not include* amounts the disposition of which is otherwise expressly prescribed by law.

SOURCE: § 4150 GC, as amended by P.L. 12-47. Amended by P.L. 28-151:2 (Oct. 31, 2006). Amended by P.L. 29-004:9, (Sept. 6, 2007).

NOTE: Amendments to this section by P.L. 28-151 were added in relation to the authorization of the Governor to make COLA payments pursuant to *Rios v. Camacho*, Superior Court Case No. SP0206-93. Pursuant to P.L. 28-151, the amendments which added subsections (2)(F), (3) and (4), "shall be repealed and cease to be of any further force and effect upon the Superior Court's determination in SP0206-93 that all COLA awards have been paid over."

§ 7102. Designation of Beneficiary; Order of Precedence.

(a) The employing department or agency shall notify each employee of his right to designate a beneficiary or beneficiaries to receive money due

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and of the disposition of money due if a beneficiary is not designated. An employee may change or revoke a designation at any time under such regulations as the Director of Administration may prescribe.

(b) In order to facilitate the settlement of the accounts of deceased employees, money due an employee at time of death shall be paid to the person or persons surviving at the time of death, in the following order of precedence and payment bars recovery by another person of amounts so paid:

FIRST, to the beneficiary or beneficiaries designated by the employee in writing received by the employing department or agency before his death.

SECOND, if there is no designated beneficiary, to the widow or widower of the employee.

THIRD, if none of the above, to the child or children of the employee and descendants of deceased children by representation.

FOURTH, if none of the above, to the duly appointed legal representative of the estate of the employee.

SOURCE: § 4151 GC, as amended by P.L. 12-47.
