

NIEVES M. FLORES MEMORIAL LIBRARY
FIRST CONSTITUTIONAL CONVENTION
OF THE TERRITORY OF GUAM

Thirty-Third General Session - 11 May 1970

A G E N D A

1. Call to order
2. Prayer
3. Roll call and leave of absence
4. Approval of minutes of previous session
5. Privilege of the floor
6. Communications
 Letter - Mr. Antonio B. Won Pat
7. Introduction of propositions and resolutions and references to committee -
 Proposition No. 58 -- Gubernatorial Powers Committee
8. Report of committees
 Executive Committee (Resolution No. 13 and Propositions 7-57)
 Taxation & Finance Committee (Proposition No. 9)
9. Propositions on second reading
 Resolution Nos. 12 and 13
 Proposition: Nos. (Refer to attached sheet)
10. Propositions on special order of second and third reading
11. Propositions on special order of third reading
12. Propositions on third reading
 Proposition Nos. 11-A, 21, 26-A, 29, 46-A
13. Committee notices
14. Adjournment

PROPOSITION

SECTION OF ORGANIC ACT

39	2
52	5 (v)
35	5 (a)
44	5 (b)
50	5 (c)
43	5 (f)
49	5 (g)
48	5 (m)
9A	5 (p)
38A	5 (p)
56	5 (r)
17	5 (r)
24	5 (u)
57	5 (v)
41	5 (v)
42	5 (v)
34	5 (x)
53	6
47	6
25	6
16	6-A
33	8
54	9 (a)
13	9 (a)
8	9 (c)
36A	11-A
27	13 (c)
51	15
40	18
19	19
30	19 (a)
7	21-B
15	21-B
18	21-C
12	29 (a - b)
14-A	29 (b)
37	29 (c)
45	31 (1)
31	31 (3)
55	35

FIRST CONSTITUTIONAL CONVENTION
OF THE TERRITORY OF GUAM

Minutes of the Thirty-Third General Session

The Thirty-Third General Session of the First Constitutional Convention of the Territory of Guam convened at Convention Headquarters at 7:15 p.m., May 11, 1970. Mr. Antonio M. Palomo, President of the First Constitutional Convention, presided.

PRAYER

The Chaplain offered the following prayer:

"In the Name of the Father and of the Son and of the Holy Spirit.
Amen.
Come, Holy Spirit, fill the hearts of Your faithful people and
kindle in them the fire of Your divine love. Send forth Your
Spirit, and they shall be created: And You shall renew the face
of the earth. Let us pray . . .
O, God, who did teach the hearts of Your faithful people by
sending them the light of Your Holy Spirit, grant us by the same
Spirit to have a right judgment in all things and evermore to
rejoice in His holy comfort. Amen.
In the Name of the Father and of the Son and of the Holy Spirit.
Amen."

ROLL CALL AND LEAVE OF ABSENCE

By direction of the President, the roll was called and the following delegates responded:

Rufe L. Galvo	Joe T. San Agustin	Joaquin V. E. Manibusan
Jose G. Quatapilla	Betty S. Guerrero	Jose S. Lizama
Charles F. Tovan	Jose P. San Nicolas	James S. Brooks
Joe Medadog	Lorenzo T. Stenzena	Antonio M. Palomo
Vicente M. Angono	William A. Flores	Adrian C. Sanchez
Pedro A. L. Manibusan	Jose T. Bazarusa	Joseph E. Ada
Joaquin G. Diaz	Jose R. Rivera	Thomas T. Agnon
Jose I. Cepeda	Gregorio M. Borja	Lorenzo C. Toca Guerrero
	Francisco R. Santos	Francisco B. Agnon

Absent:

Thomas W. Nandiola	Franklin J. Quitugua	Theodore Nelson
Edward G. Trapp	Pilar C. Lujan	Joseph B. Cruz
David B. Farlaja	Enrique L. C. Ubalan	Frank C. Lujan
Jose B. Santos	Jose M. Carrido	Robert E. Juan Guerrero
Jesus S. Camacho	Malcolm H. Merrill, Jr.	Antonio A. Galvo
		Juan C. Elias

Excused:

Pilar C. Lujan
Enrique L. G. Untalan

Frank G. Lujan
Joseph B. Cruz

A quorum was present.

APPROVAL OF MINUTES

It was moved, seconded, and carried that the minutes of the Thirty-First and Thirty-Second General Sessions be approved.

PRIVILEGE OF THE FLOOR

Mr. Adrian C. Sanchez invited the Convention to attend a party at the home of his sister, Mrs. Julia Takano of Tamuning on May 31, 1970.

COMMUNICATIONS

By direction of the President, the Administrative Secretary read a letter from Mr. Antonio B. Won Pat, Guam's Representative in Washington, concerning House Bill 7913 on a Non-Voting Delegate for Guam in the House of Representatives. (A copy of the letter is available at Convention Headquarters.)

INTRODUCTION OF PROPOSITIONS & RESOLUTIONS & REFERENCES TO COMMITTEE

By direction of the President, the Administrative Secretary gave Proposition No. 58 first reading.

Proposition No. 58, introduced by Gregorio M. Borja, Joseph B. Cruz -

A PROPOSITION TO REPEAL AND REENACT THE FOURTH PARAGRAPH OF SECTION 6 OF THE ORGANIC ACT OF GUAM RELATIVE TO THE REQUIREMENTS FOR ELECTION TO THE OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR.

Mr. Francisco R. Santos moved to suspend the rules to report-out Proposition No. 14-A which was referred to the joint-committee of Education and Health & Social Services, and to place said proposition on the first order of business under second reading. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, by unanimous consent.

Mr. Jose R. Rivera moved to suspend the rules to move to "Propositions on third reading" after "Reports of committees" then return to the order of business. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, by unanimous consent.

Mr. Francisco R. Santos moved to suspend the rules to take Resolution No. 15 from the table and place it on the second order of business under second reading. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, by unanimous consent.

REPORTS OF COMMITTEES

Executive Committee: Chairman Antonio M. Palomo reported that the Executive Committee sent a letter to Mr. Antonio B. Won Pat (signed by the Convention President) advising him that a statement on H. R. Bill 7913 would be forthcoming.

Mr. Palomo also reported that the Executive Committee decided to place all overdue propositions on the order of second reading.

**Taxation and
Finance Committee:**

Chairman Joaquin G. Blaz reported-out Proposition 9-A as a substitute, and also recommended that Proposition No. 31 be placed in the inactive file.

PROPOSITIONS ON THIRD READING

By direction of the President, the Administrative Secretary gave Proposition Nos. 11-A, 21, 26-A, 29 and 46-A third reading.

Mr. President put the question whether the Convention would agree to final passage of Proposition No. 11-A and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

AYES 24
NOES 1

Those who voted in the affirmative were:

Rafel G. Calvo
Jose C. Quintanilla
Charles F. Toves
Jose Mededog
Vicente M. Angoco
Pedro A. E. Manibusan
Joaquin G. Blaz
Jose L. Cepeda

Joe T. San Agustin
Jose P. San Nicolas
Lorenzo T. Siguenza
William A. Flores
Jose T. Barcinas
Jose R. Rivera
Gregorio M. Borja
Francisco R. Santos

Joaquin V. E. Manibusan
Jose S. Lizama
James S. Brooks
Adrian C. Sanchez
Joseph F. Ada
Tomas T. Aguon
Lorenzo C. Leon Guerrero
Francisco B. Aguon

Those who voted in the negative were:

Betty S. Guerrero

Mr. President put the question whether the Convention would agree to final passage of Proposition No. 21 and it was determined in the negative, a majority of the delegates elected to the Convention and present not voting in favor thereof.

AYES 20
NOES 5

Those who voted in the affirmative were:

Rufo L. Calvo	Joaquin G. Blaz	Joaquin V. E. Manibusan
Jose C. Quintanilla	Jose L. Cepeda	Jose S. Lizama
Charles F. Toves	Lorenzo T. Siquenza	James S. Brooks
Joe Nededog	William A. Flores	Adrian C. Sanchez
Vicente M. Angoco	Jose T. Barcinas	Joseph F. Ada
Pedro A. E. Manibusan	Jose R. Rivera	Tomas T. Aguon
	Gregorio M. Borja	Francisco B. Aguon

Those who voted in the negative were:

Joe T. San Agustin	Jose P. San Nicolas	Lorenzo C. Leon Guerrero
Betty S. Guerrero	Francisco R. Santos	

Mr. President put the question whether the Convention would agree to final passage of Proposition No. 26-A and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

AYES 23
NOES 2

Those who voted in the affirmative were:

Jose C. Quintanilla	Joe T. San Agustin	Joaquin V. E. Manibusan
Charles F. Toves	Jose P. San Nicolas	Jose S. Lizama
Joe Nededog	Lorenzo T. Siquenza	James S. Brooks
Vicente M. Angoco	William A. Flores	Adrian C. Sanchez
Pedro A. E. Manibusan	Jose T. Barcinas	Joseph F. Ada
Joaquin G. Blaz	Jose R. Rivera	Tomas T. Aguon
Jose L. Cepeda	Gregorio M. Borja	Lorenzo C. Leon Guerrero
	Francisco R. Santos	Francisco B. Aguon

Those who voted in the negative were:

Rufo L. Calvo	Betty S. Guerrero
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Mr. President put the question whether the Convention would agree to final passage of Proposition No. 29 and it was determined in the negative, a majority of the delegates elected to the Convention and present not voting in favor thereof.

AYES 13
NOES 7

Those who voted in the affirmative were:

Rufo L. Calvo	Jose P. San Nicolas	Jose S. Lizama
Jose C. Quintanilla	Lorenzo T. Siguenza	Adrian C. Sanchez
Charles F. Toves	William A. Flores	Joseph F. Ada
Joe Nededog	Jose T. Barcinas	Tomas T. Aguon
Vicente M. Angoco	Gregorio M. Borja	Lorenzo C. Leon Guerrero
Pedro A. E. Manibusan	Joaquin V. E. Manibusan	Francisco B. Aguon

Those who voted in the negative were:

Joaquin G. Blaz	Joë T. San Agustin	Jose R. Rivera
Jose L. Cepeda	Betty S. Guerrero	Francisco R. Santos
		James S. Brooks

Mr. President put the question whether the Convention would agree to final passage of Proposition No. 46-A and it was determined in the negative, a majority of the delegates elected to the Convention and present not voting in favor thereof.

AYES 14
NOES 11

Those who voted in the affirmative were:

Jose C. Quintanilla	Pedro A. E. Manibusan	Jose R. Rivera
Charles F. Toves	Joaquin G. Blaz	Francisco R. Santos
Joe Nededog	Jose P. San Nicolas	Joaquin V. E. Manibusan
Vicente M. Angoco	Lorenzo T. Siguenza	Jose S. Lizama
	William A. Flores	Joseph F. Ada

Those who voted in the negative were:

Rufo L. Calvo	Betty S. Guerrero	Adrian C. Sanchez
Jose L. Cepeda	Jose T. Barcinas	Tomas T. Aguon
Joe T. San Agustin	Gregorio M. Borja	Lorenzo C. Leon Guerrero
	James S. Brooks	Francisco B. Aguon

Mr. Gregorio M. Borja moved for reconsideration of Proposition No. 21 at the next session. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

PROPOSITIONS ON SECOND READING

By direction of the President, the Administrative Secretary read Resolution Nos. 12, 14 and 15.

RESOLUTION NO. 14

Mr. Francisco R. Santos moved to amend Resolution No. 14 as follows:

Page 1, line 10, strike out the words "drafted and prepared" and insert the words "recommended and endorsed".

Motion seconded and discussion held thereon.

Mr. Jose R. Rivera moved to place Resolution No. 14 in the inactive file.

Motion seconded and discussion held thereon.

Mr. Adrian C. Sanchez moved to table Resolution No. 14 until next session.

Motion seconded and discussion held thereon.

Mr. President put the question whether the Convention would agree to Mr. Sanchez's motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

RESOLUTION NO. 15

Mr. Francisco R. Santos pointed out the amendments made previously at the Thirty-First General Session.

Mr. James S. Brooks moved to amend Resolution No. 15 as follows:

Page 1, line 4, strike out the word "make" and insert the word "recommend".

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, by unanimous consent.

Mr. James S. Brooks moved to amend Resolution No. 15 as follows:

Page 1, line 14, strike out the words "House Territory" and insert the words "sub-committee on".

Page 1, line 15, strike out the words "sub-committee is holding a hearing next month" and insert the words "Territorial and Insular Affairs will hold hearings May 18, 1970, and May 19, 1970".

Page 1, line 23, after the word "Guam" insert the word "organized".

Page 1, line 23, strike out the word "revising" and insert the words "recommending revision of".

Motion seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, by unanimous consent.

Mr. Adrian C. Sanchez moved that Resolution No. 15 be placed on the order of third reading and voted on immediately. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, by unanimous consent.

Mr. President put the question whether the Convention would agree to final passage of Resolution No. 15 and it was determined in the affirmative, by unanimous consent.

Resolution No. 15 was duly adopted.

RESOLUTION NO. 12

Discussion was held on Resolution No. 12.

Mr. Adrian C. Sanchez moved to table Resolution No. 12 until all delegates have seen a copy of said resolution. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

By direction of the President the Administrative Secretary gave Proposition Nos. 7, 8, 9A, 13, 15, 16, 18, 19, 24, 25, 27, 34, 35, 37, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56 and 57 second reading.

PROPOSITION NOS. 12 AND 17

Mr. President put the question whether the Convention would agree to place Proposition Nos. 12 and 17 in the inactive file as recommended by the joint-committee of Education and Health and Social Services and it was determined in the affirmative, by unanimous consent.

PROPOSITION NO. 31

Mr. President put the question whether the Convention would agree to place Proposition No. 31 in the inactive file as recommended by the Taxation and Finance Committee and it was determined in the affirmative, by unanimous consent.

PROPOSITION NO. 9-A.

Mr. Joaquin G. Blaz moved to place Proposition No. 9-A on the order of third reading.

Motion seconded and discussion held thereon.

Mr. Joe T. San Agustin moved to amend Proposition No. 9-A as follows:

- Page 1, line 14, strike out the words "any fund raising or".
- Page 1, line 16, strike out the words "fund raising or" and "or utilizes its land for such"
- Page 1, line 17, delete entirely.
- Page 1, line 18, strike out the words "and exclusively for religious purposes".

Motion seconded and discussion held thereon.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

Discussion continued.

Mr. James S. Brooks moved to amend Proposition No. 9-A as follows:

- Page 1, line 7, strike out the words "non-profit organization other than educational".
- Page 1, line 8, strike out the words "institutions, or of any religious". (Seconded)

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

Mrs. Betty S. Guerrero moved to amend Proposition No. 9-A as follows:

Page 1, line 5, strike out the word "ever".

Page 1, line 6, strike out the words "directly or indirectly".

No second, motion defeated.

Mr. President put the question whether the Convention would agree to the advancement of Proposition No. 9-A and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

Ordered, That Proposition No. 9-A be placed on order of third reading.

PROPOSITION NO. 39-A

Mr. Joseph F. Ada moved to place Proposition No. 39-A in the inactive file and that the Convention consider Proposition No. 39. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

Ordered, That Proposition No. 39-A be placed in the inactive file.

PROPOSITION NO. 38

Mr. Joseph F. Ada moved to place Proposition No. 38 on the order of third reading.

Motion seconded and discussion held thereon.

Mr. Jose T. Barcinas moved to recess until 5:30, Thursday, May 14, 1970.

Motion Seconded.

Mr. Adrian C. Sanchez moved to amend the motion to recess until 7:30 p.m., Thursday, May 14, 1970. Seconded.

Mr. President put the question whether the Convention would agree to Mr. Sanchez's amendment and it was determined in the negative, a majority of the delegates elected to the Convention and present not voting in favor thereof.

Mr. President put the question whether the Convention would agree to Mr. Barcinas' motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

The Convention recessed at 11:15 p.m.

FIRST CONSTITUTIONAL CONVENTION
OF THE TERRITORY OF GUAM

The Thirty-Third General Session of the First Constitutional Convention of the Territory of Guam met pursuant to recess on Thursday, May 14, 1970, at 6:00 p.m., at Convention Headquarters. Mr. Antonio M. Palomo, President of the Constitutional Convention, presided.

PROPOSITIONS ON SECOND READING

Mr. President announced that the record will show Mr. Robert E. Leon Guerrero present on May 14, 1970.

PROPOSITION NO. 38

Mr. Joseph F. Ada moved to amend Proposition No. 38 as follows:

Page 1, line 15, strike out the word "shall" and insert the word "may".

Motion seconded and discussion held thereon.

Mr. president put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

Mr. Charles F. Toves moved to amend Proposition No. 38 as follows:

Page 1, line 5, strike out the word "ever".
Page 1, line 6, strike out the word "or".
Page 1, line 7, strike out the word "indirectly".
Page 1, line 11, strike out the words "provided, however".
Page 1, line 12 through 19, delete entirely.

Motion seconded and discussion held thereon.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

Mr. Joe T. San Agustin moved to place Proposition No. 38 in the inactive file. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

Ordered, That Proposition No. 38 be placed in the inactive file.

RESOLUTION NO. 15

Mr. Joe T. San Agustin pointed out that his motion to amend Resolution No. 15 was not voted on, but assumed carried at the session held on May 11, 1970 when said resolution was adopted; he moved that the record show this amendment as carried.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

PROPOSITION NO. 36-A

Mr. Joaquin G. Blaz moved to place Proposition No. 36-A on the order of third reading. Seconded.

Mr. President put the question whether the Convention would agree to said motion and it was determined in the affirmative, a majority of the delegates elected to the Convention and present voting in favor thereof.

PROPOSITION NO. 14-A

Mr. Joseph F. Ada moved to place Proposition No. 14-A in the inactive file.

Mr. President pointed out that a motion was pending, as made by Mr. Francisco R. Santos at the Thirty-First General Session of April 30, 1970.

Mr. Joe T. San Agustin asked for a call of the house. There was objection.

On motion of Mr. Jose R. Rivera, and by unanimous consent, the meeting adjourned at 7:15 p.m.



ANTONIO M. PALOMO, PRESIDENT


Leonotia J. Miller, Recorder

BETTY S. GUERRERO, SECRETARY