

FIRST CONSTITUTIONAL CONVENTION
OF THE
TERRITORY OF GUAM
1970 SESSION

Proposition No. 32

P R O P O S I T I O N

Introduced by:

Francisco B. Aguon, as
Chairman of the Com-
mittee on Gubernator-
ial Powers

A PROPOSITION TO AMEND SUBSECTIONS (a),
(b) AND (c) OF SECTION 9 OF THE ORGANIC
ACT OF GUAM AND TO ADD NEW SUBSECTIONS
(e) AND (f) THERETO, RELATIVE TO LIM-
TING THE TERMS OF EXECUTIVE APPOINTMENTS,
RESTRICTING THE GOVERNOR'S POWER TO ISSUE
EXECUTIVE ORDERS, AND TO REORGANIZE THE
GOVERNMENT, AND TO ESTABLISH A UNIFORM
CIVIL SERVICE SYSTEM WITH VETERANS'
PREFERENCES GUARANTEED.

1 BE IT PROPOSED BY THE FIRST CONSTITUTIONAL CONVENTION OF THE
2 TERRITORY OF GUAM:

3 Section 1. Subsection (a) of section 9 of the Organic Act of
4 Guam is hereby amended to read as follows:

5 "Section 9. (a) The Governor shall, except as otherwise provi-
6 ded in this Act or the laws of Guam, appoint, by and with the advice
7 and consent of the legislature, all heads of executive agencies and
8 instrumentalities who shall hold their offices for terms to expire
9 at the end of the term for which the Governor was elected. Whenever
10 a board, commission or other multi-member body shall be the head of
11 an executive department or agency, the members thereof shall be
12 appointed by and with the advice and consent of the legislature, by
13 the Governor for such terms of office and subject to such methods
14 of removal as shall be prescribed by law. ~~The legislature shall~~
15 ~~establish a merit system and, as far as practicable, appointments~~
16 ~~and promotions shall be made in accordance with such merit system.~~"

17 Section 2. Subsection (b) of section 9 of the Organic Act of
18 Guam is hereby amended to read as follows:

19 "(b) All officers shall have such powers and duties as may be
20 conferred or imposed on them by law or by executive regulation of
21 the Governor promulgated pursuant to not-inconsistent-with-any law."

22 Section 3. Subsection (c) of section 9 of the Organic Act of
23 Guam is hereby amended to read as follows:

24 "(c) The Governor shall, from time to time, examine the organi-
25 zation of the executive branch of the government of Guam and shall
26 determine and carry-out recommend to the legislature such changes
27 therein as are necessary to promote effective management and to
28 execute faithfully the purposes of this Act and the laws of Guam."

1 Section 4. A new subsection (e) is hereby added to section 9
2 of the Organic Act of Guam to read as follows:

3 "(e) Appointments and promotions in the permanent service of the
4 government of Guam shall be made exclusively under a civil service
5 system established by the laws of Guam to be based upon merit, effi-
6 ciency and fitness as ascertained by competitive examination."

7 Section 5. A new subsection (f) is hereby added to section 9
8 of the Organic Act of Guam to read as follows:

9 "(f) Preference in appointments and promotions in the govern-
10 ment of Guam shall be given to veterans of the Armed Forces of the
11 United States and their survivors under criteria to be established
12 by the legislature."