

Propositions Flood Standing Committees

In Con Con's First Month

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Despite only four weeks under its belt, with much of its session time spent in organizing, most of the 20 Committees of the Guam Constitutional Convention have already begun the task of developing the myriad of issues that in the end will comprise a document the people of Guam can call their own.

According to Arnold Leibowitz, President of the Institute of International Law and Economic Development, the firm contracted to provide legal counsel to the Convention, the committees have gone about their work with dispatch and a seriousness of purpose. "Already they have distilled several important issues which should be ready soon for deliberation by the entire 32-member Convention", Leibowitz said in a report to the delegates.

Leibowitz touched briefly on the following Committees, their issues and approaches:

The Family Rights Committee seems to be reaching the conclusion that 18 should be the age of majority. The issue arising is, should it be stated in the Constitution and be effective for all purposes? Another issue is whether the Constitution should prohibit corporal punishment in the light of the recent Supreme Court decision holding corporal punishment in the schools not contrary to the U. S. Constitution. This committee will delve heavily, into a number of propositions dealing with divorce, custody of children, family planning information and women's rights.

The Committee on gubernatorial Powers from early on, desires a strong governor. Feeling that this strength can be derived from elect-

tioned upon two qualifications: one, a long residency requirement, and two, island birth.

The Committee on Manpower Development has been discussing the merits of union-shop vs. right-to-work laws with special emphasis on problems of unemployment and welfare compensation systems.

Research has been directed toward limiting the benefits of such programs to persons with a deep-seated interest in the Guam community. Emphasis was placed on establishing a Civil Service Commission which would tend to reduce the powers of the Governor in this respect. The desirability of creating an ombudsman as well as an Ethical Standards Code for the Civil Service Commission, also came in for discussion.

The Committee on Municipal Government and Development seems to want to strengthen local or village government. Discussion focused on the following types:

- a) Strong Mayor - Weak Council;
- b) Weak Mayor - Strong Council;
- c) Commissioner system; and
- d) City Manager with City Council.

This committee also discussed whether or not the Constitution should recognize in some fashion a form of government in the smaller villages. The Committee on Natural Resources, which was the first to hold a public hearing since the Convention convened, tackled the problem of land-taking by eminent domain. In general, the committee wishes to restrict the taking of public lands by: a) tightening procedural safeguards; and b) limiting the purposes of land-taking.

The Finance and Taxation Commission should be prohibited, but remain unclear whether this should include prohibition against a mandatory retirement age.

The Committee on Judicial Organization and Powers focused on the right to trial by jury in both civil and criminal cases even though the right to trial by jury in civil cases is not now guaranteed in the U. S. Constitution for a territory such as Guam. The delegates seemed to favor appeals to the Ninth Circuit Court of San Francisco, but is still unclear on establishing a local appellate court. On the selection of judges, the Missouri plan which has a non-partisan commission recommending nominees to the governor, was favored. On the other hand the committee seems to favor an elected prosecuting attorney, making the attorney general legal counsel to the governor.

The Education Committee has also entertained propositions requiring the public schools to provide birth control information and devices to students. Others requiring mandatory instruction in Guam history and culture are under consideration. Several detailed proposals for the re-organization of the public schools system will receive much attention.

The Legislative Powers Committee has under consideration three proposals dealing with procedures for passing laws, including the prohibition against special interest legislation and the confinement of a bill to a single subject. Impeachment, legislative immunity and primary elections are also addressed. Propositions concerning the territorial capital, territorial flag, and the oath of office for public officials were referred to the Committee on Style and Drafting.

And that in a nutshell, is a summary of some of the issues being discussed in committee, as the Guam Constitution Convention 1977 began the task of drafting a Constitution to replace the Organic Act under which the territory has been governed these past 26 years.

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