



FOURTEENTH GUAM LEGISLATURE

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AGANA, TERRITORY OF GUAM
U. S. A. 96910

November 20, 1978

MEMORANDUM

To: Senator A. R. Unpingco

From: Office of Legislative Counsel

Subject: Ratification of the Proposed Guam
Constitution

REF: AU-XI-11-01-M-M

You have requested an answer to the following question:

Can the voters ratify the Constitution article by article or must the whole document be voted on at the referendum to be held?

ANSWER: Sections 4 and 5 of Public Law 94-584 (90 Stat. 2899) which authorized preparation of a Guam Constitution provide:

Section 4. The conventions shall submit to the Governor of the Virgin Islands a proposed constitution for the Virgin Islands and to the Governor of Guam a proposed constitution for Guam which shall comply with the requirements set forth in Section 2(b) above. Such constitutions shall be submitted to the President of the United States by the Governors of the Virgin Islands and Guam.

Section 5. Within sixty calendar days after the respective date on which he has received each constitution, the President shall submit such constitution together with his comments to the Congress. The constitution, in each case, shall be deemed to have been approved by the Congress within sixty days after its submission by the President, unless prior to that date the Congress has approved the constitution, or modified or amended it, in whole or in