

FIRST CONSTITUTIONAL CONVENTION OF THE TERRITORY OF GUAM

PUBLIC INFORMATION OFFICE

PEREZ BROTHERS BUILDING, SECOND FLOOR  
BOX I, AGANA, GUAM

SEP. 2 1969

Academic freedom was the main topic of discussion when the Bill of Rights Committee of the First Constitutional Convention met Thursday evening.

Joseph Ada, committee chairman, stated that teachers and professors are intellectuals who can not "sit back and see a bureaucracy growing, and people being misled. You can't expect them to sit back all the years they are teaching and not say a word against unfair situations."

The committee members agreed that Guam's Bill of Rights should include some guarantee of protection for those in the academic world.

Freedom of association was another right which the members considered. The case of the N.A.A.C.P. against Alabama was used as an example to show the court's decision in favor of this right. The court decided in favor of the N.A.A.C.P., saying, "It is beyond debate that freedom to engage in association for the advancement of beliefs and ideas is an inseparable aspect of "liberty" assured by the due process clause of the Fourteenth Amendment, which embraces freedom of speech."

In order to guarantee without a doubt freedom of association, the committee proposed including such a specific right in the new constitution.

The committee also discussed requiring a code of ethics for government officials and employees. If this proposal were adopted, a code would be written which would "stress the importance of avoiding conflicts of interest and unethical conduct in government.

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AUG. 27 1969

# B.J. Bordallo Urges Bicameral Legislature

B. J. Bordallo spoke at the Monday night session of the First Constitutional Convention of the Territory of Guam and made a plea to the delegates to consider the return to a bicameral legislature and to direct representation.

"I understand the work, responsibility, and interest you're giving to your assignment. To you gentlemen, I plea you give serious consideration to the necessity that we should have a bicameral congress...It seems to me like we are twenty years behind."

Bordallo explained that there was a reason for accepting the change from a bicameral legislature which existed on Guam before the Organic Act to a unicameral legislature prescribed in that Act. "In 1949 when Judge Manibusan went to the states (to accept the Organic Act), the instructions he received were not to argue--not to be hard to please. The main thing was to go there and accept U.S. citizenship under any conditions."

Besides the unicameral legislature, another of these condi-

tions was the change in method of election of the senators. "It is not direct representation: it is indirect." Bordallo said "I would like to see direct representation. I would like to see district representation. We need to have that."

He explained that this method of election would ensure the minority of a voice in the government. "I am not in favor of a one-party government...Government should be for the benefit of the people--not for the benefit of any party."

Bordallo also explained the economic events which led to the campaign for the Organic Act. He used copra as his example to show how prices dropped after 1922: In 1922 copra was selling for \$4.50 per 100 pounds. In 1929 the price had dropped to \$2.25. In the years 1934 to 36 "things were getting really bad." Copra prices were \$.75 per 100 pounds and wages had dropped from \$1.25 in 1929 to \$.75 a day.

Fortunately, in 1930 Commander Willis Bradley was appointed as the governor of Guam. According to Bordallo, "he was a brilliant man," and one of his first acts was to give the Guamanian people their civil rights. He also established the Guam Congress.

This Congress consisted of two houses: the House of Council and the House of Assembly. The House of Council consisted of sixteen members: One representative from each village; the House of Assembly had thirty members who were elected from the villages--the number of delegates varying with village population size.

The House of Assembly, headed by F. B. Leon Guerrero became very interested in Guam's politi-

cal status and civil rights for the people; where the House of Council, headed by Bordallo, felt a greater concern for the economic plight of the people. These two ideas merged and as a result, a special session was held. It was unanimously agreed that the Guam Congress should start a movement to send a delegation to Washington. A joint resolution to this effect was drawn up and signed by every Congressman.

When a report of this decision was made to Governor Bradley, he immediately responded favorably and volunteered to donate \$20.00 to send Leon Guerrero and Bordallo to Washington.

But when we got to Washington, the Navy Department did not approve our mission, although the Labor, State and Interior Departments did. But after the Navy Department made its views clear the State and Labor Departments backed out. The Interior Department was with us all the way through."

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AUG. 27 1969

# Sister Jean Marie Speaks Today On Problems Facing Hospital

Sister Jean Marie Menke, Guam Memorial Hospital Administrator, will speak today at noon to the Health and Social Services Committee of the First Constitutional Convention on the Feller Report. This report, done by a private firm engaged by the hospital, recommends a larger health complex to replace the present hospital and health facilities. Guam Memorial Hospital has a

number of physical plant problems which effect its accreditation status. When the last accreditation commission visited the hospital, it recommended that temporary solutions to these problems would be unwise. The hospital, therefore, asked for time to make a study and the commission granted this grace period with the stipulation that the study result in definite plans for improvement.

Several firms bid for the opportunity to study the operation and facilities of the hospital, and the contract was awarded to J.H. Feller and Associates of San Francisco. The team included a planning consultant, an architect and a group to study capital resources. The money for this study was appropriated by the Tenth Guam Legislature.

The team worked for four months, evaluating both the hospital and the community. As Sister Jean Marie reported, "It is

very difficult to isolate the problems of the hospital from the problems of the community."

The Feller Report was the result of this study, and it contains six major proposals. The first of these is to "Establish an independent, voluntary, non-profit corporation, called the Health Care Center Services, whose mission is to develop and provide the shared services described in this report." A large site, centrally located would house this Health Care Center and all government land on this site would be available at no cost to participants in the Center--both governmental and private. The Feller firm rejected as impractical the alternative of renovating the existing GMH plant.

The proposed health complex contain a central service facility which would be shared by all the health services of the island. This facility would house all lab equipment, X-ray machines, and other large expensive instruments.

The various health services of the island would then no longer duplicate such equipment but, rather, would purchase the services of the central service facility. Sister Jean Marie pointed out that this would mean not only better service, but also great financial savings.

During the period of study the hospital administrators and the Feller team conferred with the legislators many times. Sister Jean Marie emphasized that the hospital did not wish to continue with the plans for future growth if the Legislature did not concur with them.

Early this spring a meeting was held in which the proposals of the Feller Report were explained to sixteen legislators who attended. According to Sister Jean Marie a straw vote was cast, and Speaker Joaquin Anriola informed her that the legislators approved the plans and recommended that work continue on them.

However, last week the bill proposing this new plan was defeated in the Legislature. The reason given for this seeming change of mind was that the peo-

ple of Guam had not been sufficiently informed about the proposals in the bill.

Sister Jean Marie stated that hospital employees did visit the villages, but that it was possible that their explanations had not been complete. She says "I am not dismayed by their (the legislators) action at all." Her opinion is that a project of this magnitude must have 100% cooperation and understanding of the government and the people.

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 BOX 1, AGANA, GUAM.

AUG. 15 1969

The Bill of Rights Committee of the First Constitutional Convention met Thursday evening to discuss possible changes in the Organic Act's Bill of Rights. The Constitution of the State of Hawaii was used as a guide for suggested alterations.

The committee discussed several proposals of great significance. For example, in the area of public aid to religious establishments, the committee considered two proposals: one to use public funds to furnish nonsectarian textbooks to pupils in parochial schools, and the other to use public funds for the transportation of pupils attending parochial schools. Joseph Ada, chairman of this committee, said that "the majority of the states permit this." David Terlaje went even further to say that "if a Department of Education administrator figures it costs 60 dollars per child per month, this amount should be provided to the private schools also." Jose Quintinilla pointed out that the private schools contribute significantly to the education of the territory's children and that the government should therefore help them financially. The committee is going to study the bill written by Speaker Joaquin Ariola which grants public subsidies to private schools.

With respect to this issue the Organic Act presently reads: "No public money or property shall ever be appropriated,

benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such."

A philosophy of rehabilitation guided the committee to approve the restoration of the right to vote to felons ~~forever~~ <sup>from the time of their final discharge. Now, a felon is forever</sup> barred from voting unless he receives a pardon from the Governor. The committee also felt that a discharged felon should ~~even be~~ allowed to run for public office, if he so desired.

Joe Quintinilla, Deputy Director of the Department of Public Safety, suggested that felons should have their records erased for the purpose of having recourse against slander. Now, when a felon suffers verbal insult which refers to his crime or jail record, he has no legal recourse if the statement is true. Knowing this, many felons will resort to physical violence to defend themselves and perhaps find themselves in jail again as a result.

A very interesting addition to the Bill of Rights was proposed by Joseph Ada: the right to know. This right is based on the premise that "the successful functioning of a democracy depends upon its members having access to the information necessary for making decisions." About Guam's government Ada said, "The bureaucracy of the government has become so big that it's impossible to get information...the only certain thing is uncertainty!" Ada cited cases on the U. S. mainland in which major dishonesty involving the Defense Department existed because of concealed information.

He pointed out that although instances of withholding information were less dramatic here on Guam, something should be done to ensure that no "major evil" occurred in the future.

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NEWS RELEASE

Committees of the First Constitutional Convention of the Territory of Guam have been meeting to organize and study the material in their respective areas. Last week five committees held meetings in which they formulated objectives and assigned tasks to the members. Those which met were the Committees on Education, Political Status, Gubernatorial Powers, Health and Social Services, Legislative Powers, and Municipal Government and Development.

Topics ranged from logistics of committee organization to ideas for change which could significantly affect the people of Guam.

The Committee on Education, for example, which is presently studying Hawaii's state constitution studies for guidelines, discussed the possible need for a liaison between the secondary schools and the University of Guam. Members of this committee are Frankain Quitugua, chairman, David Terlaje, vice chairman, Tomas Aguon, Malcolm Merrill, Theodore Nelson, Enrique Untalan, and Betty Guerrero.

The Political Status Committee, perhaps the most important committee with respect to the political future of Guam, decided on six alternatives for the territory: 1) independence, 2) incorporated territory, 3) commonwealth, 4) association with another country, 5) statehood, and 6) the present status of unincorporated territory. The committee will be studying these alternatives to determine the consequences of each of them. The members of this committee are Adrian Sanchez, chairman, Joe T. San Augustin,

vice chairman, Jose Quintinilla, Betty Guerrero, Jose R. Rivera, Charles F. Toves, Jesus S. Camacho, David S. Terlaje, and Joaquin G. Blaz.

The Gubernatorial Powers Committee deals with the powers of the Chief Executive. Major issues to be undertaken deal with the Elective Governor Bill (Will the Organic Act sufficiently provide for this new political event?), and the position of the Comptroller (Does the government still need auditing by an independent firm? Is a comptroller needed or wanted at all?). Constitutions of Puerto Rico, Hawaii, Alaska, and the Virgin Islands will be studied as guidelines by this committee. The members are Frank B. Augon, chairman, Frank R. Santos, vice chairman, Howard Trapp, Juan M. Tuncap, and Adrian Sanchez.

The Health and Social Services Committee met Thursday and discussed plans for improvement in the areas of health, public services, correction, and public safety. Pedro Manibusan stated that the gap between the political and economic development of Guam and social services development should be closed. They have invited Sister Jean Marie Menke, Guam Memorial Hospital Administrator, to speak to them on the Feller Report. This report was made for Guam Memorial Hospital by an investigating firm which recommended a large health complex in the Ordot-Chalan-pago-Mangnilao area. Members of this committee are Robert E. Leon Guerrero, chairman, Jose L. Cepeda, vice chairman, Joe Nededog, Pedro A.E. Manibusan, and Pilar Lujan.

The Legislative Powers Committee met Thursday evening to formulate its objectives. The job of their committee, as expressed by Francisco R.



Santos, chairman, will be to "study ways and means to enhance legislative powers in making sound policies and laws". To do this, they will be studying constitutional law and conventions of Hawaii and California. The other members of this committee are Enrique Untalan, vice chairman, Rufo L. Calvo, Robert Leon Guerrero, Vicente M. Angoco, Lorenzo T. Siguenza, and Lorenzo C. Leon Guerrero.

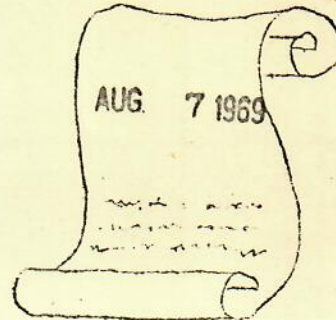
On Friday afternoon

/ The Committee on Municipal Government and Development discussed its probable recommendation of partial government decentralization. Malcolm Merrill, chairman, recommended "that neighborhood sub-units of government be established and given delegated power to operate various community functions." The committee is considering the possibility of having village managers who will function with an advisory council to administer village activities. The other members are Gregorio M. Borja, vice chairman, Juan G. Blas, Antonio A. Calvo, and Lorenzo C. Leon Guerrero.

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NEWS RELEASE

The Political Status Committee of the First Constitutional Convention of the Territory of Guam met Wednesday morning to discuss its plan of study concerning the future of Guam. It will be this committee, headed by Delegate Adrian Sanchez, which will write the portion of the new constitution dealing with the eventual status of Guam as a political entity.

The committee agreed on six possible courses of action for Guam:

- 1) independence, 2) incorporated territory, 3) commonwealth, 4) association with another country, 5) statehood, and 6) retention of the status quo (Guam is presently an unincorporated territory).

All of the possibilities will be studied by the members of the committee to determine the advantages and disadvantages associated with each. A public information program will then begin in an effort to convey all the facts to Guam's people. At public hearings, which will be scheduled in the near future, the people will have a chance to voice their opinions.