

Convention Issues

Question Answer

The First Constitutional Convention of Guam, which is now conducting public hearings to sound the wishes of Guam's citizens on what they wish written into a Territorial Constitution, has issued a statement and explanation of the question of redistricting the Legislature.

The Convention, created by a law unanimously passed by the Tenth Guam Legislature, will convene its elected delegates upon the close of the public hearings to write the Constitution.

That document, if accepted and passed by the U.S. Congress and signed into law by the President, would supplant the Organic Act of 1950 as the basic federal statute under which Guam is governed.

The statement on redistricting:

The Organic Act now says that the legislators of Guam may be elected from districts, at large, or partly from districts and partly at large as prescribed by the laws of Guam. (The laws now prescribe that all senators shall be elected at large.) Should the Organic Act prescribe that the senators must be elected from districts?

Before World War II the Guam Legislature was comprised of two houses, with district representation in the lower house. However, Supreme Court rulings have declared that representation in any legislative body must be based on nothing but population. Therefore, the pre-war legislative system would be unconstitutional. In that system the village of Yigo, for example, would have just as many senators as the larger village of Tamuning.

Guam may not, therefore, return to the sort of bicameral legislature it had before the war. (This is not to say that a bicameral legislature could not exist at all. If a bicameral system were reinstated, it must simply conform to these Supreme Court rulings, commonly called the "one-man, one-vote" rulings.)

Presently a bill is pending which will be introduced in the January session of the Legislature. It repeals the section of the Government Code of Guam

which specifies that the senators be elected at large and changes it to require that they be elected from districts.

Because districting must be done on the basis of the Federal Census, all people residing on Guam must be counted — including military personnel and dependents. (This would mean that Yigo and Santa Rita would be the largest districts because of the large military populations residing there.)

Therefore, the island must be divided into very large blocks for representation. It would be impossible to let each individual municipality constitute a district.

The bill provides for three large districts: The Northern District would be comprised of Yigo, Dededo, and Tamuning; the Central District of Barragada, Mong, Toto-Maite, Agana, Asan, Piti, Agana Heights, Sinajana, Chalan Pago-Ordot, and Mangilao; and the Southern District of Yona, Talofofo, Inarajan, Merizo, Umatac, Agat, and Santa Rita.

The Northern District would be entitled to six senators, the Central District to eight and the Southern District seven. This would mean that every 3,192 persons on Guam would have a representative in the Legislature.

If this bill passes and is signed into law, is it necessary for the delegates of the First Constitutional Convention to propose changing the Organic Act to require districting? What will happen if the bill fails to pass? The voters of Guam indicated their desire for districting in the special election of November, 1968.

Perhaps through expressing this view once again to the Convention delegates, the result will be a proposal for districting which will change the Organic Act itself.

'Chance To Improve Our Laws'

David Terlaje, Chairman of the Constitutional Convention's Legislative and Judicial Council made a plea yesterday for people to attend the public hearings which are being held in each village.

Greatly disappointed with the small number of people who have come to the first hearings held by the council, he said, "In 1950 the people of Guam were given the Organic Act by a group of people who were not only 8000

miles away but who may have known almost nothing about the peculiar problems of the island. Only five years after the Act was passed, people began to realize that certain parts of it were poorly suited to the island.

"But ever since 1950 we've been saddled with laws written by strangers. Now, with the creation of a Constitutional Convention, the people may, for the first time, actively express their desire for change. The chance to

improve the basic law of the land is here-- and now, where are the people?"

Terlaje expressed hope that more people would appear at the hearings to tell the delegates what kinds of new laws they feel Guam needs. Some of the important questions facing Terlaje's council are these:

Should the Organic Act require district representation in the Guam Legislature?

Should Guam return to a bicameral legislature?

Should our court system be like those in the states with the federal and local courts completely separated?

Should we elect our judges on a partisan basis?

Should some of the legislative power be delegated to municipal governments?

Should public money be used to aid private educational institutions?

Should Guam's Bill of Rights guarantee academic freedom and collective bargaining?

Should the members of a democracy be guaranteed the right to have access to the records and information of their government?

Should the Government of Guam have a code of ethics?

Should the people be guaranteed the right of initiative, referendum and recall?

the first

CONSTITUTIONAL CONVENTION

of the territory of Guam

Agana Heights Residents Discuss New Constitution

The Legislative and Judicial Council of the First Constitutional Convention met with Agana Heights residents to listen

to their views. The evening was highlighted by the presence of young students who showed a keen interest in the writing of a new constitution for Guam.

Legislative organization was a key issue with the emphasis of the discussion on questions regarding the number of houses in the Legislature and on districting.

Gregorio Camacho and Delores Pangelinan, both Agana Heights residents, spoke on the former issue, Camacho favoring a unicameral system and Mrs. Pangelinan a bicameral system. The more through review received by bills as they passed through the committees and floors of two houses was her justification for supporting the bicameral system such as Guam had before the war.

Districting, another major issue canvassed during the evening, was explained to the people by the Convention's legal counsel, Andrew Gayle. Although a bill will be introduced in the January session of the Legislature, to require district representation, the delegates are seeking the guidance of the people to determine if districting should be required by the Organic Act itself. (Presently the Organic allows district representation OR representation at large.)

The commissioner of Agana Heights, Juan Garcia, questioned Gayle concerning districting and learned that the bill being introduced would provide that Guam be divided into three large districts for representation: Northern, Central and Southern. Each district is approximately equal in population so that every 3,192 persons will have a representative in the Legislature.

Interested teenagers, Marilou Sablan, Ascuncion Cruz, and Bobby Gutierrez, took a very active role in discussing whether or not public aid should be granted to private schools. Miss Sablan who attends a private school said, "To aid means to help--not to take over. My parents are paying taxes. Why can't I have up-to-date textbooks like those used in public schools?"

Maria Garrido, a former teacher, also defended aid to private schools. "The money is not for the religion but for the children. The Constitution forbids that money be used for religious proposes. The teaching of reading, spelling, and arithmetic is not religious."

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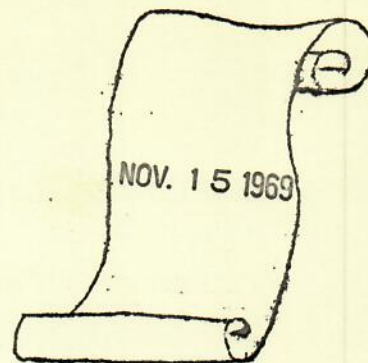
Agana
Mendiola, Tomas F.
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Quintanilla, Jose C.
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Dededo
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Siguenza, Lorenzo T.
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Merizo
Barcinas, Jose T.
Mongmong-Toto-Maite
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Rivera, Jose R.
Piti
Tuncap, Juan M.
Santa Rita
Borja, Gregorio M.
Cruz, Joseph B.
Sinajana
Santos, Francisco R.
Manibusan, Joaquin V.E.
Lujan, Frank G.
Talofofo
Lizama, Jose S.
Brooks, James R.
Tamuning
Palomo, Antonio M.
Sanchez, Adrian C.
Leon Guerrero, Robert E.
Ada, Joseph F.
Umatac
Aguon, Tomas T.
Yigo
Calvo, Antonio A.
Blas, Juan G.
Yona
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Aguon, Francisco B.

David D.L. Flores
Executive Director

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PUBLIC INFORMATION OFFICE

PEREZ BROTHERS BUILDING, SECOND FLOOR
BOX 1, AGANA, GUAM



Election Discussed At ConCon

Districting, electing of judges and the punishing of criminals were topics discussed at the public hearing held in Barrigada Monday evening by the Legislative and Judicial Council of the First Constitutional Convention

Raymond Laguana, assistant commissioner of Barrigada asked the delegates about including military people in the population count to determine districting. He asked if a residency requirement could be designed for all people in Guam whether military or not to determine their eligibility to be included in the census.

Laguana spoke against the election of judges. He felt that this position should not be subject to the campaigning which surrounds the election of other officials and the Governor should appoint the judges of Guam's courts.

The Bill of Rights Committee asks in the newsletter distributed at the hearings: "Should the death penalty exist for certain local crimes?" Delfina Ignacio, Louis Quitano, and Pete Rosario, Barrigada commissioner commented on this question and although all favored stringent punishment of criminals, they agreed that psychopathic criminals should be granted therapy rather than be condemned to death.

Another proposal of the Bill of Rights Committee is to protect the public against the invasion of privacy by means of wire-tapping. Louis Quitano said that he felt wire-tapping is justified and should be permitted in cases where treason or espionage is suspected.