

FIRST ORGANIZATIONAL SESSION
OF THE
CONSTITUTIONAL CONVENTION OF GUAM

May 4, 1977

CALL TO ORDER At 10:20 a.m., the Honorable Joseph F. Ada, Speaker 14th Guam Legislature, called the First Organizational Constitutional Convention Session to order with all 32 Delegates present.

PRAYER Monsignor Vicente Martinez offered the following prayer:

LET US PRAY.

In silence and introspection does man communicate with his God. In this vein we pray. Speak, Lord: I will listen. You do not come to my soul without speaking to me in some way. You make your presence known to the heart and mind of those who take time to listen to you. I will be quiet, and let my desires and worries rest, in order to hear you. In silence I will learn to know your intimate will in my regard as I work for the welfare of your people here in the island of Guam. This we ask in the name of your Son, Jesus Christ. Amen.

COMMUNICATIONS The following Communications were read:

FOURTEENTH GUAM LEGISLATURE
Office of the Speaker
P. O. Box 373
Territory of Guam
U. S. A. 96910

May 4, 1977

Dear Mr. President:

Upon prior request of the Convention Delegates, I am providing you with copies of the Rule of Procedure of the preceding Constitutional Convention procedures.

Sincerely,

/s/ Joseph F. Ada
JOSEPH F. ADA

(For copy see Appendix I)

FOURTEENTH GUAM LEGISLATURE
COMMITTEE ON TERRITORIAL/FEDERAL RELATIONS
Agana, Guam 96910

May 4, 1977

Honorable Delegates
Guam Constitutional Convention
Agana, Guam

Dear Delegate:

Transmitted herewith is your copy of a "Briefing Paper for the Guam Constitutional Convention" prepared under the guidance of the Territorial/Federal Relations Sub-Committee of the Fourteenth Guam Legislature's Territorial/Federal Affairs Committee.

We hope it will help you in your deliberations for a Guam Constitution.

Sincerely,

/s/ Frank F. Blas
FRANK F. BLAS
Chairman, Sub-Committee
on Territorial/Federal
Relations

(For copy see Appendix II)

ADMINISTRATION OF OATH

At this point, Speaker J. F. Ada called upon the Honorable Judge Paul J. Abbate, Presiding Judge, Superior Court, to administer the following oath to the Delegates as a group:

I SOLEMNLY SWEAR (OR AFFIRM) IN THE PRESENCE OF THE ALMIGHTY GOD THAT I WILL WELL AND FAITHFULLY SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE LAWS OF THE UNITED STATES APPLICABLE TO GUAM AND THE LAWS OF GUAM, AND THAT I WILL CONSCIENTIOUSLY AND IMPARTIALLY DISCHARGE MY DUTIES AS A DELEGATE TO THE CONSTITUTIONAL CONVENTION OF GUAM SO HELP ME GOD.

ADOPTION OF INTERIM PROCEDURES GOVERNING ELECTION OF PRESIDENT

Delegate S. Eichner moved, and was seconded by Delegate V. Perez, for the adoption of the Interim Procedures governing election of President.

On the motion and without further discussion, the same was put and carried.

ELECTION OF PRESIDENT

Delegate J. H. Underwood moved, and seconded by Delegate V. Perez, that the election of President be by secret ballot.

After quite a debate on the motion, the same was put and carried by a vote of 19 ayes and 12 noes.

At this stage, Delegate A. Leon Guerrero moved that the candidates for President be allowed 2 to 3 minutes of program presentation and then to allot 30 minutes for a question and answer period in order to allow the Delegates to vote wisely. The motion was seconded by Delegate D. Weakley.

On the motion, Delegate M. Martinez moved to amend the same in that the question and answer period be unlimited. The motion was seconded by Delegate A. L. Guerrero.

On the amendment, Delegate J. H. Underwood moved to further amend the same to eliminate the question and answer period entirely.

Upon a point of order and after due consultation with the Counsel, however, the Chair ruled the amendment out of order.

After a lengthy debate on the issue, Delegate M. Martinez moved and seconded by Delegate A. L. Guerrero, to withdraw his motion.

There being no objections, the motion to withdraw was put and carried.

Delegate V. Perez moved, and seconded by Delegate F. C. Guzman, to amend the main motion in that immediately after the program presentation, this body recess for a 15 minute question and answer period to allow the Delegates to privately question the candidates.

After quite a debate on the issue, Delegate J. C. Perez moved for the previous question. The motion was seconded by Delegate J. Guthertz.

On the motion, the same was put and carried.

On the amendment offered by Delegate V. Perez, the same was put and carried by a vote of 27 ayes and 1 no.

Upon a motion for a division by Delegate J. H. Underwood and seconded by Delegate S. Eichner, which was put and carried, the question was again put but failed by a vote of 8 ayes and 3 noes.

Upon a point of order offered by Delegate J. H. Underwood, Delegate C. T. C. Gutierrez moved, and seconded by Delegate S. Eichner, for a reconsideration of the action taken.

On the motion to reconsider, the same was put and carried by a vote of 18 ayes and 3 noes.

On the motion to recess for 15 minutes for a question and answer period, the same was again put and carried by a vote of 21 ayes and 7 noes.

On the motion to allow a 3 minute program presentation, the same was also put and carried by a vote of 20 ayes and 7 noes.

The floor was then open for nominations to the Office of President.

Delegate V. Perez moved to nominate Delegate C. T. C. Gutierrez from Agana Heights. The nomination was seconded by Delegate T. Nelson.

Delegate J. H. Underwood, being recognized, moved to nominate Delegate V. C. Reyes (Judge) of Sinajana to be the President.

There being no second to the nomination, the Chair declared the nomination failed.

Delegate P. Zamora moved to nominate Delegate T. Frank Flores from Yigo. The nomination was seconded by Delegate A. Leon Guerrero.

Delegate V. Diaz moved to nominate Delegate F. Lujan from Chalan Pago. The nomination was seconded by Delegate E. W. Chargualaf.

At this point, Delegate V. Perez moved to appeal the decision of the Chair on the nomination of Judge V. C. Reyes.

The motion being put, the decision of the Chair was unanimously defeated.

Delegate J. H. Underwood, therefore, moved to nominate Judge V. C. Reyes.

Delegate J. L. Perez moved to nominate Delegate A. Yamashita. The nomination was seconded by Delegate M. Martinez.

Delegate G. Borja moved to close the nomination which was seconded by Delegate A. Leon Guerrero and carried by a vote of 26 ayes and zero noes.

The candidates having presented their programs, the body, therefore, recessed for 15 minutes.

Recess having expired, the Chair again called the body to order with all 32 Delegates present.

The Delegates having submitted their ballots, the Chair called upon the nominators to assist and certify to the tallying of the votes:

The result of the election was as follows:

Delegate T. F. Flores	----	5
Delegate C. T. C. Gutierrez	--	15
Delegate F. G. Lujan	----	4
Delegate V. C. Reyes (Judge)	---	2
Delegate A. Yamashita	----	6

A second election was held between the two highest vote getters which were Delegates C.T.C. Gutierrez and A. Yamashita.

Upon the submission of the second ballots, the Chair again called upon the nominators to the President to assist and certify to the tallying of the votes.

The results of the second election was as follows:

Delegate C. T. C. Gutierrez	-----	19
Delegate A. Yamashita	-----	12
Blank Ballot	-----	1

The Chair, therefore, declared Delegate C. T. C. Gutierrez as the President of the Guam Constitutional Convention whereupon he relinquished his Chair and President C. T. C. Gutierrez presided.

ADOPTION OF RULES OF ORDER GOVERNING PROCEDURE OF THE CONSTITUTIONAL CONVENTION

Delegate M. C. Benavente moved to allow the President to appoint members to the following Committees and to authorize an expenditure of \$500 for the preparation of documents of the Standing Rules and also to allow the President to decide on the next meeting date and time. The Committees are as follows:

1. Site Selection Committee
2. Standing Rules Committee

On the motion, Delegate V. Perez moved for this body to interimly adopt the by-laws of the First Constitutional Convention pending the report of the two Committees and to retain the 14th Guam Legislature's Legal Counsel until such time that the Constitutional Convention has obtained its own Legal Counsel.

On the amendment, Delegate M. Martinez moved that until such rules are adopted by this body, the Constitutional Convention be governed by the Robert's Rules of Orders and further to allow the President to appoint volunteers to be members to the Committees.

On the amendment, the same was put and carried.

On the main motion offered by Delegate Benavente, the same was also put and carried.

The President, therefore, appointed the following Delegates:

SITE SELECTION COMMITTEE

1. Steve Eichner - Chairman
2. Greg Borja - Member
3. Felix Crisostomo - Member
4. Papoy Zamora - Member
5. Joseph Cruz - Member

STANDING RULES COMMITTEE

1. Frank Guzman - Chairman
2. Ted Nelson - Member
3. Vicente Perez - Member
4. Frank Lujan - Member
5. Roque Eustaquio - Member
6. Judith Guthertz - Member
7. James Underwood - Member
8. Mark Martinez - Member

On the question of Legal Counsel, Delegate M. Benavente moved for this body to interimly use the 14th Guam Legislature's Legal Counsel until such time that the Constitutional Convention has obtained its own Legal Counsel.

On the motion, Delegate M. C. Benavente moved for the President to request from the Speaker of the 14th Guam Legislature to temporarily utilize the Legal Counsel until such time that the Convention has obtained its own Counsel.

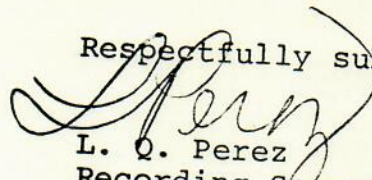
Without objection, motion carried.

At this point, Delegate J.H. Underwood moved for this body to recess until May 16 and the President to contact the Delegates as to the time and place.


On the motion, Delegate S. Eichner moved to amend the same in that this body recess until May 10, 1977 at the recommendation of the President as to the time and place of meeting.

On the motion, the same was put and carried unanimously, whereupon the President declared the session adjourned at 2:05 p.m. until May 10, 1977.

Respectfully submitted,


L. Q. Perez
Recording Secretary
(Temporary)

APPROVED:


C. T. C. Gutierrez
President