

Municipal Development

Delegate Jose W. Tuquero - Chairperson
Delegate Prospero Zamora - Vice Chairperson
Delegate Edward Chargualaf - Member

Respectfully,

/s/Martin Benavente
MARTIN BENAVENTE"

Following reading of the reports, delegate Prospero Zamora rose to decline his appointment as vice chairman. He advised that he would rather be a plain committee member. The chair requested him to confer with the appropriate assistant vice president.

AMENDMENTS TO STANDING RULES: The following proposals were under this order of business:

- a. Proposal of delegate T. Frank Flores to provide that no delegates be absent from the Convention for two consecutive sessions;
- b. Proposal of delegate James Underwood to amend Section 2, Rule X, to place Item (1) "Privilege of the Floor" second to the last item;
- c. Proposal of delegate Jesus L. Perez to provide that the standing committees shall be composed of not less than (3) nor more than eight (8) members;
- d. Proposal of delegate Mark Martinez on the composition of the various standing committees.

Proposal "a":

Delegate T. Frank Flores moved that a new Section 11 be added to the Rules to read as follows:

"Section 11. Attendance at Convention Sessions.

It shall be the duty of each delegate to attend all sessions of the Convention. No delegate shall be excused for missing two consecutive sessions (meetings) without valid reason(s), i.e., sickness, death in the family, court appearance.

No delegate in violation of this section shall be allowed to attend or vote at the Convention without two-thirds approval of all delegates at the Convention."

In the discussion of the above amendment, delegate James Underwood moved to amend the same by deleting the second paragraph. The motion was seconded and carried.

On the amendment of delegate Flores, as amended, the question was put to a vote, and the same was defeated for lack of necessary votes.

Proposal "b":

Delegate James Underwood moved to amend Section 2, Rule X, of the rules by placing Item (1) "Privilege of the Floor" as the second to the last item. The motion was seconded and carried unanimously.

Proposal "c":

Delegate Jesus L. Perez moved to amend Section 2 of Rule VIII by deleting all of Section 2 and adding a new Section 2 to read as follows:

"Section 2. Membership of standing committees. The standing committees, except the executive committee, shall be composed of not less than three (3) nor more than eight (8) members."

After discussion on the amendment and three delegates having requested for a roll call, the roll was called as follows:

Ayes - Delegates James Underwood, Vicente Diaz, Jose Tuquero, Francisco Cruz, Gregorio Borja, Jose Sarmiento, Jesus Quinata, Jesus Tedpahago, Donald Weakley, Anthony Leon Guerrero, Judith Won Pat, Vicente Perez, Joseph Cruz, Jesus Perez, Felix Crisostomo, Antonio Yamashita, Mark Martinez, Prospero Zamora, Joseph Soriano, Ernesto Natividad, and T. Frank Flores ---- 21

Noes - Delegates Edward Chargualaf, Thomas Crisostomo, Roque Eustaquio, Carl Gutierrez, Theodore Nelson, Judith Guthertz, Steve Eichner, Frank Guzman, and Martin Benavente - 9

(Note: Delegate Frank Lujan was out of the hall during roll call, and Delegate Vicente Reyes was absent.)

The chair announced that the amendment of delegate Jesus L. Perez was adopted by the required two-thirds vote.

Proposal "d":

Without objection delegate Mark Martinez withdrew his proposal. In its place, he made a motion to amend the rules to create a new committee on elderly rights to handle the senior citizens rights, and which committee shall comprise of three (3) members. The motion was seconded and after some discussion, the roll was called as follows:

Ayes - Delegates James Underwood, Vicente Diaz, Edward Chargualaf, Jose Tuquero, Francisco Cruz, Gregorio Borja, Jose Sarmiento, Jesus Quinata, Jesus Tedpahago, Donald Weakley, Thomas Crisostomo, Roque Eustaquio, Anthony Leon Guerrero, Judith Won Pat, Vicente Perez, Joseph Cruz, Jesus Perez, Judith Guthertz, Felix Crisostomo, Antonio Yamashita, Mark Martinez, Steve Eichner, Prospero Zamora, Frank Guzman, Joseph Soriano, Ernesto Natividad, and T. Frank Flores --- 27

Noes - Delegate Martin Benavente ---- 1

Not Voting - Delegates Carl Gutierrez and Theodore Nelson ---- 2

(Note: Delegate Frank Lujan was out of the hall during roll call, and Delegate Vicente Reyes was absent.)

Before announcement of the voting result, delegate James Underwood moved that those abstaining be excused from voting. The motion was seconded and, without objection, carried.

The chair then announced that a committee on elderly rights will be created, the members to be appointed by the appropriate assistant vice president.

REQUEST FOR UNANIMOUS CONSENT:

Delegate James Underwood asked for, and was granted, unanimous consent to amend the rules to provide that notwithstanding any provision of rules or regulations to the contrary, henceforth no seconds be required for any motion. The amendment was unanimously adopted.

NEW BUSINESS:

Delegate Anthony C. Leon Guerrero took the floor to advise that he intends to introduce a resolution to amend the rules to provide that the minority leader shall be a member of the executive committee. He claimed that two factions exist among the delegates and that a "clique", comprising of the officers and the various assistant vice presidents, controls the Convention.

When asked what he meant by "minority", delegate Leon Guerrero replied that this covers those delegates who were denied chairmanship of committees irrespective of their qualifications.

Several delegates commented on the points brought out by delegate Leon Guerrero, many of them stating that the remarks were inaccurate since the officers were duly elected by secret ballot and the assistant vice president, when appointed by the president, were thereafter confirmed by the Convention.

Regarding the composition of the various standing committees, the chair stated that each delegate was asked to submit his or her committee preferences.

After considerable discussion, delegate Jesus L. Perez moved that the chairmen of the standing committees be allowed to appoint members of their committees. The Chair ruled the motion out of order since members have already been appointed.

Delegate Gregorio Borja then moved to amend the rules to provide that any additional members to the standing committees be appointed by the chairmen, those already appointed to remain as members. An objection being raised, the chair ruled the motion out of order.

Referring to the news article appearing in the Pacific Daily News issue of Wednesday, May 18, 1977, entitled "SEN. JACKSON SEEKS MICRO POLICY PAPER", delegate Vicente Perez moved that the president write to the Chairmen of the U. S. House of Representatives and U. S. Senate requesting for a position policy paper. The chair stated that the point of delegate Perez would be taken under advisement.

APPOINTMENT OF CERTIFYING OFFICER:

The chair announced the appointment of delegate Joseph C. Cruz as the certifying officer of the Guam Constitutional Convention.

APPOINTMENT OF AD HOC COMMITTEE ON ATTENDANCE AND ETHICS:

Delegate Jesus L. Perez moved that the president appoint an ad hoc committee on attendance and ethics. After discussion on the motion and upon the question being put, the same was carried.

OLD BUSINESS:

Delegate T. Frank Flores requested that the site selection and budget of the Convention be discussed, this session being the last organizational meeting.

Regarding the site selection, the chair informed that the Bank of Tokyo of California site has been selected as the Convention headquarters. As to the budget, nothing definite has been established, but that as soon as the executive committee approves same, the delegates will be properly informed.

Considerable discussion was then had regarding the action of the executive committee in approving the Convention site, some delegates claiming that the final report of the site selection committee was never presented to the Convention.

The chair referred to the journal of May 17, 1977, wherein the executive committee was authorized to finalize plans regarding site selection.

Delegate Antonio Yamashita asked for unanimous consent to amend the rules to provide that any Convention funds to be expended shall be approved by a majority of the delegates. The chair, however, did not recognize the motion since an objection was raised.

So that each delegate is informed of the proceedings of the executive committee sessions, delegate Vicente Perez moved that copies of such proceedings be given them. The chair advised that when the executive secretary is hired, copies of the minutes will be made available.

Having requested that the budget be discussed, delegate T. Frank Flores moved that the budget do not include off-island travel. An objection was, however, raised and the Chair did not recognize the motion.

Delegate Prospero Zamora moved that the budget be apportioned among the delegates. Again, the chair did not recognize the motion, an objection being voiced. Whereupon, the chair ruled that discussion of the budget will be conducted at the executive committee meeting.

ARRIVAL OF CONGRESSMAN A. B. WON PAT:

The chair informed that Congressman A. B. Won Pat would be arriving on Guam for a period of one week, and that the local office has been asked to arrange a meeting with him and the delegates.

So that Congressman Won Pat could address the delegates during the Convention session, delegate Mark Martinez moved that the Convention recess and to meet at the call of the president between May 28 and June 4. After discussion on the motion, and upon the question being put, the same was carried.

Delegate T. Frank Flores advised that he would be off-island on May 28.

REVERSE RULING OF CHAIR ON RECESS OF ORGANIZATIONAL SESSION:

Upon consultation with the legal counsel, the chair ruled that the motion earlier adopted for the Convention to recess its last organizational session was illegal and in conflict with Public Law 13-202 which establishes the Guam Constitutional Convention.

Accordingly, the chair announced that upon adjournment of the day's session, the Convention shall reconvene on July 1, 1977, at 1:00 p.m. at the Convention headquarters. Further, the chair announced that he would make all attempts to have Congressman Won Pat address the delegates, and as soon as a definite arrangement is established, the delegates would be notified.

APPRECIATION TO FOURTEENTH GUAM LEGISLATURE:

Delegate Theodore Nelson moved that the president express appreciation to Speaker Joseph Ada for assistance rendered the Convention in its organizational meetings. Without objection the motion was carried.

MEETING OF COUNCIL ON EXECUTIVE AFFAIRS:

Delegate Thomas Crisostomo announced that the council on executive affairs would hold its meeting on Thursday, May 26, 1977, at 1:00 p.m., the place to be announced at a later date.

ADJOURNMENT:

Without objection the chair declared the Fifth Organizational meeting of the Constitutional Convention adjourned at 3:45 p.m. until July 1, 1977, at 1:00 p.m., when it shall reconvene for its regular deliberations at the Convention headquarters.

Respectfully submitted,

Jane A. Lizama

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Recording Secretary (Temporary)

APPROVED:

Carl T. C. Gutierrez
CARL T. C. GUTIERREZ
President