



CON CON Newsletter

July, 1977 Vol. 1 No. 1

Serious Ceremony Marks Con Con Opening

The Guam Constitutional Convention 1977 officially opened at 1 p.m. July 1, in its headquarters on the third floor of the Bank of Tokyo Building in Agana with little fanfare but much emotion, as delegates set their course toward the writing of Guam's own constitution which will replace the 27-year-old Organic Act.

A small group of island dignitaries and some immediate family of the delegates crowded into the session hall for the opening ceremony. They heard Bishop Felixberto Flores give a solemn invocation and then brief remarks by Governor Ricardo Bordallo, Speaker Joseph Ada, and Chief Judge Paul Abbate.

The feature address was delivered by Carl T. C. Gutierrez, President of the Constitutional Convention. He impressed the seriousness of purpose upon the delegates and charged them with the monumental responsibility of restructuring the very foundation upon which the territory functions.

Among the honored guests was Baltazar J. Bordallo, who along with Congressman A. B. Won Pat and the late Francisco B. Leon Guerrero, is generally conceded to have fathered the Organic Act. It was a historical and emotion-choked moment for B. J. as he realized that the infant government he helped create had suddenly become adult and was about to draft new powers and chart new courses to fit its maturity. Won Pat had to decline the invitation, but sent a message of good wishes for success.

After a short recess to allow some of the guests to leave the hall, President Gutierrez called the first plenary session to order. The roll of thirty-two delegates was called and the task was

begun. Several Committees submitted propositions, which will be subjected to public hearings, research, and finally deliberation by the Convention as a whole.

It is a short time from July to November, and the ensuing four months will be busy ones for the delegates and staff. President Gutierrez has indicated the constitution will be

It all Began with . . .

PUBLIC LAW 94-584—OCT. 21, 1976

90 STAT. 2899

Public Law 94-584
94th Congress

An Act

To provide for the establishment of constitutions for the Virgin Islands and Guam. Oct. 21, 1976
[H.R. 9460]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress, recognizing the basic democratic principle of government by the consent of the governed, authorizes the peoples of the Virgin Islands and of Guam, respectively, to organize governments pursuant to constitutions of their own adoption as provided in this Act.

Sec. 2. (a) The Legislatures of the Virgin Islands and Guam, respectively, are authorized to call constitutional conventions to draft, within the existing territorial-Federal relationship, constitutions for the local self-government of the people of the Virgin Islands and Guam.

(b) Such constitutions shall—

(1) recognize, and be consistent with, the sovereignty of the United States over the Virgin Islands and Guam, respectively, and the supremacy of the provisions of the Constitution, treaties, and laws of the United States applicable to the Virgin Islands and Guam, respectively, including, but not limited to, those provisions of the Organic Act and Revised Organic Act of the Virgin Islands and the Organic Act of Guam which do not relate to local self-government.

(2) provide for a republican form of government, consisting of three branches: executive, legislative, and judicial;

(3) contain a bill of rights;

(4) deal with the subject matter of those provisions of the Revised Organic Act of the Virgin Islands of 1954, as amended, and the Organic Act of Guam, as amended, respectively, which relate to local self-government;

(5) with reference to Guam, provide that the voting franchise may be vested only in residents of Guam who are citizens of the United States;

(6) provide for a system of local courts consistent with the provisions of the Revised Organic Act of the Virgin Islands, as amended; and

(7) provide for the establishment of a system of local courts the provisions of which shall become effective no sooner than upon the enactment of legislation regulating the relationship between the local courts of Guam with the Federal judicial system.

Virgin Islands
and Guam.
Constitutions.
48 USC 1391
note.

48 USC 1391
note.

48 USC 1406m,
1541 note,
48 USC 1421
note.

approved by the Convention by October 31, and ready for submission to the Governor by mid-December. The Governor, in turn submits it to the President of the United States.

Within sixty calendar days the President shall submit the document together with his comments to the Congress. The Constitution shall be deemed to have been approved by Congress within sixty days after its submission by the President, unless prior to that date the Congress has approved, modified or amended it in whole or in part by joint resolution.

The Constitution as then approved with or without amendments shall be submitted to the voters of Guam for acceptance or rejection by an island-wide referendum. Upon approval by not less than a majority of the voters, it shall become effective in accordance with its terms contained therein.

President Gutierrez explained to the delegates the feeling he gathered in

Washington that officials down the line would act favorably on the Constitution as submitted, providing a second document spelling out the details of a federal-territorial relationship is submitted separately. Gutierrez, Delegate Roque Eustaquio and Convention Counsel Andrew Gayle had a round of high-level meetings, and this was the advice they came back with—two documents, one local and one pertaining to Guam's federal relationship.

SCHEDULE OF PLENARY SESSIONS

July and Aug. — Mon. & Tues. 1 p.m.
Sept. — Mon., Tues., & Wed. 1 p.m.
Oct. — Mon., Tues., Wed., & Thurs.

Public Hearings to be announced