



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

<b>OFFICE OF THE SPEAKER</b>	
Date:	<u>3.31.95</u>
Time:	<u>10:35 am</u>
Received By:	<u>[Signature]</u>
Print Name:	<u>Lola A. Davis</u>

**MAR 30 1995**

The Honorable Don Parkinson  
Speaker  
Twenty-Third Guam Legislature  
424 West O'Brien Drive  
Julale Center - Suite 222  
Agana, Guam 96910

Dear Speaker Parkinson:

Enclosed please find Bill No. 31 (LS), "AN ACT TO PUT A PROPOSAL BEFORE THE PEOPLE OF GUAM AS AN INITIATIVE MEASURE TO LIMIT THE MEMBERSHIP OF THE GUAM LEGISLATURE TO FIFTEEN MEMBERS," which I have signed into law this date as Public Law No. 23-01.

I have signed this bill into law in order to give the people of Guam the opportunity to vote on this important issue, which is to determine the size of the Legislature. I believe that the gathering of over 7,000 signatures on a petition recently has indicated a great deal of interest by the people in making this choice.

There are two areas in the bill that need to be addressed in future legislation. The language in Section 2 of the bill states that the measure is to be voted upon at the next General Election if an appropriation for a special election is not made sooner. However, the language contained within the measure to be voted upon, in Section 5 of the bill, states that the reduction in the number of senators would take place with the Twenty-Fourth Guam Legislature. The timing of the election during which the measure may be voted upon may make the provisions of the measure impossible to effect in the Twenty-Fourth Guam Legislature.

The second area that needs to be addressed is Section 6 of the bill. This section prohibits corporations from donating any money whatsoever to campaign for or against the passage of the measure to be voted upon.

*LC*  
*3/31/95 3 30*

Corporations, however, as well as individuals, have First Amendment rights under the United States Constitution. Also, First Amendment rights include freedom of association as well as freedom of speech. Although one can limit campaign contributions, one cannot prohibit entirely the participation in free speech and association which is inherent in making some campaign contributions for or against a candidate or an issue. See Buckley v. Valeo, 424 U. S. 1; 96 S. Ct. 612 and Collingswood v. Ringgold, 66 N.J. 350, 331 A2nd 262, appeal dismissed 426 U.S. 901, 96 S. Ct. 2220 for background. I believe that Section 6 of the bill needs to be repealed or modified to allow for some corporate contributions.

Very truly yours,



Carl T. C. Gutierrez

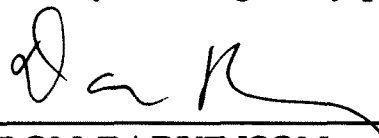
Enclosure

**230328**

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 31 (LS), "AN ACT TO PUT A PROPOSAL BEFORE THE PEOPLE OF GUAM AS AN INITIATIVE MEASURE TO LIMIT THE MEMBERSHIP OF THE GUAM LEGISLATURE TO FIFTEEN MEMBERS," was on the 17th day of March, 1995, duly and regularly passed.



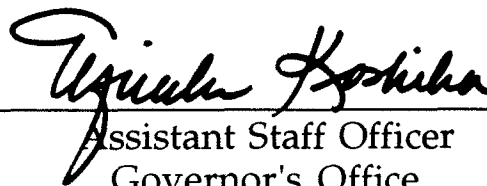
\_\_\_\_\_  
DON PARKINSON  
Speaker

Attested:



\_\_\_\_\_  
JUDITH WON PAT-BORJA  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 20 day of March,  
1995, at 2:37 o'clock P.M.



\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:



\_\_\_\_\_  
CARL T. C. GUTIERREZ  
Governor of Guam

Date: 3-30-95

Public Law No. 23-01

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) REGULAR SESSION

Bill No. 31 (LS)

As substituted by  
the Committee on Rules and  
as further substituted on the  
floor.

Introduced By:

M. Forbes  
D. Parkinson  
J. T. San Agustin  
A. C. Blaz  
A. R. Unpingco  
F. E. Santos  
J. P. Aguon  
S. L. Orsini  
F. P. Camacho  
E. Barrett-Anderson  
C. Leon Guerrero  
J. M. S. Brown  
A. C. Lamorena, V

AN ACT TO PUT A PROPOSAL BEFORE THE PEOPLE  
OF GUAM AS AN INITIATIVE MEASURE TO LIMIT  
THE MEMBERSHIP OF THE GUAM LEGISLATURE TO  
FIFTEEN MEMBERS.

1        **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM :**

2        **Section 1. Legislative Intent.** The Legislature intends that the  
3        electorate be given the opportunity to vote on the issue set forth herein.

4        **Section 2.** The initiative measure set forth in this Act shall be put before  
5        the voters at a special election if funds are appropriated authorizing the  
6        placement of the measure on the special election ballot and the special  
7        election is called prior to the General Election, or at the next General

1 Election, whichever comes first. If there is a special election called to place  
2 the measure on the ballot, it shall be held not less than 120 days nor more than  
3 150 days after the effective date of the appropriation for the special election.  
4 The ballots at such election may be hand counted at such locations as the  
5 Election Commission may specify.

6 **Section 3.** For purposes of the election provided for by this Act,  
7 approval by a majority of the valid votes cast on the measure shall be  
8 necessary for the enactment into law of the initiative measure. Valid votes  
9 cast on a measure shall include all votes cast in favor or against the proposal  
10 but shall not include blank, spoiled, or invalid ballots cast.

11 **Section 4.** The initiative measure placed on the ballot pursuant to this  
12 Act shall be treated by the Election Commission as having been duly presented  
13 by petition with the signatures required by 3 GCA §§ 17201 and 17207. Article  
14 2 of chapter 17 of Title 3, GCA, relative to Initiatives, shall apply to the  
15 initiative measure specified to the extent not inconsistent with this Act.

16 **Section 5.** Initiative measure to change number of Senators from  
17 twenty-one (21) to fifteen (15). The following initiative measure shall be  
18 placed before the voters at the election:  
19

20 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
21 **INITIATIVE MEASURE ADOPTED AT AN ELECTION HELD**  
22 **ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_:**  
23

24 *Section 1. § 6101 of Title 3 of the Guam Code*  
25 *Annotated is hereby amended to read:*

26 *"§ 6101. Guam Legislature Description. The Guam*  
27 *Legislature shall be a unicameral body consisting of fifteen*

1           *(15) members who are elected at large and as provided by*  
2           *law, commencing with the election of the Twenty-Fourth*  
3           *Guam Legislature. "*

4  
5           **Section 6. Corporate contributions prohibited.** No corporation may  
6 directly or indirectly contribute labor, money or anything of value to influence  
7 or advocate the passage or defeat or placement on the ballot of the initiative  
8 measure set forth in this Act; nor may any corporation contribute, directly or  
9 indirectly, labor, money or anything of value to anyone else to be used for  
10 such purposes. Willful violation of this section shall be a misdemeanor. In  
11 addition to other penalties and punishments allowed by law, in the event of  
12 conviction for a violation of this section, the court shall impose an additional  
13 fine of three times the value of the illegal expenditures and contributions,  
14 and, in the case of a corporation, shall order the corporation charter  
15 authorizing the corporation to conduct business within the territory cancelled  
16 and forfeited.

# TWENTY-THIRD GUAM LEGISLATURE

1995 (FIRST) Regular Session

61

Date: 3/17/95

## VOTING SHEET

Bill No. 31

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.		✓		
AGUON, John P.				✓
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C		✓		
CRISTOBAL, Hope A.		✓		
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou		✓		
NELSON, Ted S.		✓		
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C		✓		
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.		✓		
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith		✓		

TOTAL                      12   8                      1

2622-011 ✓

# SONNY LUJAN ORSINI

## SENATOR

Chairman, Committee on Rules  
Twenty-Third Guam Legislature  
155 Hesler Street  
Agana, Guam 96910  
(671) 472-3407

March 15, 1995

Honorable Don Parkinson  
Speaker, Twenty-Third Guam Legislature  
155 Hesler St.  
Agana, Guam 96910

VIA: Chairman, Committee on Rules

Dear Speaker Parkinson:

The Committee on Rules, to which was referred Bill No. 31, wishes to report its findings and recommendation for passage of Bill No. 31.

The Committee voting is as follows:

<u>9</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>0</u>	ABSTAIN
<u>1</u>	OFF ISLAND
<u>0</u>	TO PLACE IN INACTIVE FILE

A copy of the Committee Report and all pertinent documents are attached for your information.

Sincerely,



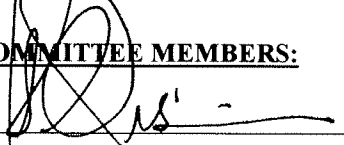

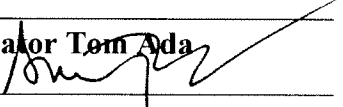
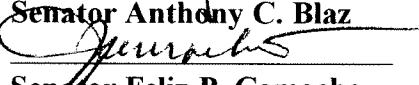


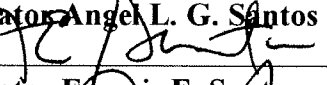
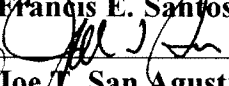
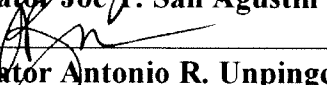
SONNY LUJAN ORSINI



# COMMITTEE ON RULES

## VOTE SHEET

### SUBSTITUTE BILL NO. 31

<u>COMMITTEE MEMBERS:</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
 Senator Sonny Lujan Orsini, Chairman	✓			
_____ Senator John P. Aguon, Vice-Chairman				
 Speaker Don Parkinson	✓			
_____ Vice-Speaker Ted S. Nelson				
 Senator Tom Ada	✓			
 Senator Anthony C. Blaz	✓			
_____ Senator Felix P. Camacho				
 Senator Mark C. Charfauros	✓			
 Senator Hope Crisobal	✓			
_____ Senator Alberto Lamorena V				
_____ Senator Lou Leon Guerrero				
_____ Senator Vicente C. Pangelinan				
 Senator Angel L. G. Santos	✓			
 Senator Francis E. Santos	✓			
 Senator Joe T. San Agustin	✓			
_____ Senator Antonio R. Unpingco				
_____ Senator Judith Won Pat-Borja				

# **COMMITTEE ON RULES**

## **COMMITTEE REPORT**

### **ON**

### **BILL NO. 31**

Bill No. 31 - AN ACT TO PUT FIVE LEGISLATIVE REFORM PROPOSALS BEFORE THE PEOPLE OF GUAM AS INITIATIVE MEASURES AT A SPECIAL ELECTION.

### **PREFACE:**

The Committee on Rules convened at 10:10 a.m. Thursday, March 9, 1995 in the Legislative Public Hearing Room in Agana, Guam.

Alongside Chairman Sonny Lujan Orsini was Senators Anthony C. Blaz.

### **OVERVIEW:**

In 1994, then Mr. Mark Forbes registered five Legislative Reform Initiatives with the Guam Election Commission.

The five initiatives are as follows:

1. Beginning with the Twenty-Fourth Guam Legislature, the number of senators of the Guam legislature shall be reduced to fifteen (15) members.
2. Placement of a ceiling cap on the expenditures of the Guam Legislature at 2.5% of the total GovGuam revenue projections for the same fiscal year.
3. Reduces senatorial salaries to forty thousand Dollars (\$40,000) per annum.
4. To place a limit of four successive terms for senators.
5. Allows for the passage of initiatives by a majority of those votes cast on the initiative.

The passage of Bill 31 would mandate that initiatives which garner the required signatures to be placed in a ballot and for the people to vote in an election during the next General Election or ninety (90) days, whichever comes first.

Notwithstanding the 90 days provision incorporated in Bill 31, the Special Election for the initiatives included in Bill 31 shall be held within 150 days, on a Saturday and no earlier than 120 days from the enactment of this bill.

Only votes cast on individual initiatives shall be considered for the determination of passage or nonpassage of the individual initiatives.

## **COMMITTEE FINDINGS:**

Senator Forbes testified before the Committee in support of Bill No. 31. As the author and the individual who spearheaded the initiative movement, Senator Forbes informed the Committee of the level of interest expressed by the community in the initiatives.

Senator Forbes expressed to the committee the importance of returning the power to the people. As elected officials, Senator Forbes expressed the importance of allowing the people to express their wishes of the manner in which government should run. "There is no other right of the people more important than the right to fashion their own Government."

In light of the cost of \$100,000 to \$200,000.00 on a Special Election with the fiscal position of the government, the senator expressed that to empower the people at that cost is really a bargain.

Senator Orsini questioned Senator Forbes on how he arrived at the maximum number of consecutive years a senator may serve. In response, the number was arrived to place a limit on the number of years equal to that of the Governor and the Lieutenant Governor.

Senator Orsini further inquired on the number of senators to serve in the legislature. Senator Forbes responded that in a previous conversation with an employee at the Guam Election Commission, he learned that on the average, people usually vote for fifteen candidates on a ballot. People may vote for 21 candidates, but on the average, fifteen votes per ballot is cast.

Senator Anthony Blaz expressed his support of Bill No. 31. The bill simply empowers the people to decide on important policies governing their elected officials. Majority of the candidates in the last election campaigned on Legislative Reform. The senator pointed that the bill would also place a deadline for having an election to place these initiatives to the electorate.

At the conclusion of remarks, Senator Orsini expressed his support of Bill No. 31 to those present at the hearing.

## **COMMITTEE RECOMMENDATION:**

In light of the strong voice of the people indicated through the interest and number of signatures received during the duration of the circulation of those same initiatives, the Committee on Rules recommends immediate passage of Bill No. 31.

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) REGULAR SESSION

Bill No. 31  
Introduced By:

As substituted by the Committee on Rules

M. Forbes  
D. Parkinson  
J.T. San Agustin  
A. C. Blaz  
A. R. Unpingco  
F. Santos  
J. Aguon  
S. Orsini  
F. Camacho  
E. Barret-Anderson  
C. Leon Guerrero  
J. S. Brown  
A. C. Lamorena V

**AN ACT TO PUT FIVE LEGISLATIVE REFORM PROPOSALS  
BEFORE THE PEOPLE OF GUAM AS INTIATIVE MEASURES AT  
A SPECIAL ELECTION.**

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM :**

2 Section 1. Legislative Intent. The Legislature intends that the electorate  
3 be given the opportunity to vote on the issues set forth herein. ~~The Legislature~~  
4 ~~further finds that action either by the Legislature or the Governor would be~~  
5 ~~required to hold a special election on these matters and, therefore, calls for such a~~  
6 ~~special election to be held so that the electorate may act on these matters~~  
7 ~~expeditiously.~~

8 Section 2. The five (5) initiative measures indicated below shall be put before  
9 the voters at the next General Election unless funds are sooner appropriated to place the  
10 measures on the ballat at a special election, to be called not less than 120 days nor  
11 more than 150 days after the effective date of the legislation appropriating the money

11 ~~for the special election. a special election to be held not less than 120 days after the~~  
12 ~~effective date of this act, nor more than 150 days thereafter, on a Saturday election date~~  
13 ~~to be set by the election commission, hereinafter referred to as the special election.~~  
14 ~~The day preceding such special election shall not be a holiday. The ballots at such~~  
15 ~~election may be handcounted at such location(s) as the Election Commission may~~  
16 ~~specify.~~

17 Section 3. For purposes of this special election as mandated by this act, a  
18 majority of the valid votes cast thereon shall be necessary for the approval and  
19 enactment into law of any of the initiative measure placed before electorate pursuant to  
20 this act. The term valid votes cast thereon shall include all votes cast in favor or  
21 against the proposal but shall not include blank, spoiled, or invalid ballots cast.

22 Section 3. All initiative measures placed on the ballot pursuant to this act shall  
23 be treated as initiative measures which have been duly presented to the Election  
24 Commission with the necessary signatures on petitions for placement on the ballot,  
25 pursuant to 3 Guam Code Annotated 17201. Article 2 of chapter 17 of Title 3 shall  
26 apply to such initiative measures to the extent not inconsistent with this act.

27 Section 4. Initiative measure to change number of Senators from 21 to 15. The  
28 following initiative measure shall be placed before the voters at the ~~special~~ election:

29  
30  
31  
32

**BE IT ENACTED BY THE PEOPLE OF GUAM AS AN  
INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD  
ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**

33 "Section 6101 of Title 3 of the Guam Code Annotated is hereby amended to read:

34 "Section 6101. Guam Legislature Description. The Guam  
35 Legislature shall be a unicameral body consisting of fifteen (15) members who  
36 are elected as provided by law, commencing with the election of the Twenty-  
37 Fourth Guam Legislature. "

38

39 Section 5. Initiative measure to change votes to restrict legislative budget to  
40 2.5% of total revenue projections. The following initiative measure shall be placed  
41 before the voters at the special election:

42  
43  
44

45 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
46 **INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD**  
47 **ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**

48

49 "Section 1. A new section 1121.1 is added to Title 2 of Guam Code Annotated to read:

50 "Section 1121.1 Budgetary Ceiling Guam Legislature. Effective  
51 October 1, 1995, the Total budget of the budget of Guam Legislature shall at  
52 no time exceed two and one-half percent (2.5%) of the total Guam  
53 Government of Guam revenue projections set for the same fiscal year, as  
54 enacted into law in the Government of Guam Budget Act for that fiscal year.  
55 The Legislature must set a revenue projection for the Government of Guam in  
56 the annual government of Guam budget act."

57

58 Section 6. Initiative measure to change votes to reduce Senatorial Salaries. The  
59 following initiative measure shall be placed before the voters at the special election:

60  
61

62 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
63 **INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD**  
64 **ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**

65 "Section 1106 of Title 2 of the Guam Election Code Annotated is hereby amended to  
66 read:

67 "Section 1106. Legislative Compensation and allowances.  
68 Compensation for each member of the Guam Legislature shall be paid in  
69 twenty-six (26) equal installments at the rate of forty thousand dollars

70 (\$40,000.00) per annum. Such compensation shall be paid out of funds to be  
71 appropriated by the Guam Legislature. This provision shall take effect  
72 beginning with the convening of the Twenty-Fourth Guam Legislature.”  
73

74 Section 7. Initiative measure to change votes set term limits on Senators. The  
75 following initiative measure shall be placed before the voters at the ~~special~~ election:  
76

77  
78 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
79 **INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD**  
80 **ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**  
81

82 Section 1. A new Section 1126 is added to Title 2 of the Guam Code  
83 Annotated to read as follows:

84 Section 1126. No person who has been elected to four full  
85 successive terms as Senator shall be eligible to run for another term until one  
86 full term has intervened. For purposes of this section successive terms shall  
87 mean terms that commence on and after the date of the inauguration of the  
88 Twenty-Fourth Guam Legislature.  
89

90 Section 8. Initiative measure to change votes to pass initiative. The following  
91 initiative measure shall be placed before the voters at the ~~special~~ election:  
92

93 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
94 **INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD**  
95 **ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**

96 Section 1. A new Section 17107 is added to 3 Guam Code Annotated to read  
97 as follows:

98 \*Section 17107. Votes required to pass an initiative, referendum or  
99 legislative submission. A majority of the valid votes cast thereon shall be

100 necessary for the approval and enactment into law of any initiative measure,  
101 referendum, or legislative submission. The term valid votes cast thereon shall  
102 include all votes cast in favor or against the proposal but shall not include  
103 blank, spoiled, or invalid ballots cast."

104 Section 2. Section 17203 of 3 Guam Code Annotated is amended to read as  
105 follows:

106                   \*Section 17203. Same: Presentation of. The Election Commission  
107 shall submit the initiative to the electorate after certification at the next general  
108 election held at least ninety (90) days after it qualifies. [~~or at a territory wide  
109 special election held at least ninety (90) days after certification provided  
110 however that the Legislature may call a territory wide special election for the  
111 purpose of having the electors vote on an initiative measure.~~] Each initiative  
112 measure shall be on a separate ballot sheet, provided that if there are more than  
113 three initiatives considered at one election the initiatives may be combined on  
114 one or more ballot sheets, and further provided that only one side of the ballot  
115 sheet may be used.

116 Section 3. Section 17204 of 3 Guam Code Annotated is amended to read as  
117 follows:

118                   ~~"[Subsection 17204. — Same: Majority Required; Effective Date:  
119 "An initiative must be approved by fifty percent (50%) plus one (1) of all  
120 voters who get to the polls to vote in the special or general election at which  
121 the initiative so approved by fifty percent (50%) plus one (1) of all voters who  
122 go to the polls to vote at said elections shall take effect sixty (60) days after the  
123 date on which the Commission certifies that the initiative has been passed.]~~

124 An initiative shall require the number of votes specified in 3 Guam Code  
125 Annotated 17107 to pass."



TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) REGULAR SESSION

Bill No. 31  
Introduced By:

M. Forbes  
D. Parkinson  
J.T. San Agustin  
A. C. Blaz  
A. R. Unpingco  
F. Santos  
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AN ACT TO PUT FIVE LEGISLATIVE REFORM PROPOSALS  
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1 Section 1. Legislative Intent. The Legislature intends that the electorate  
2 be given the opportunity to vote on the issues set forth herein. The Legislature  
3 further finds that action either by the Legislature or the Governor would be  
4 required to hold a special election on these matters and, therefore, calls for such a  
5 special election to be held so that the electorate may act on these matters  
6 expeditiously.

7 Section 2. The five (5) initiative measures indicated below shall be put before  
8 the voters at a special election to be held not less than 120 days after the effective date  
9 of this act, nor more than 150 days thereafter, on a Saturday election date to be set by  
10 the election commission, hereinafter referred to as the special election. The day

11 preceding such special election shall not be a holiday. The ballots at such election may  
12 be handcounted at such location(s) as the Election Commission may specify.

13 Section 3. For purposes of this special election as mandated by this act, a  
14 majority of the valid votes cast thereon shall be necessary for the approval and  
15 enactment into law of any of the initiative measure placed before electorate pursuant to  
16 this act. The term valid votes cast thereon shall include all votes cast in favor or  
17 against the proposal but shall not include blank, spoiled, or invalid ballots cast.

18 Section 3. All initiative measures placed on the ballot pursuant to this act shall  
19 be treated as initiative measures which have been duly presented to the Election  
20 Commission with the necessary signatures on petitions for placement on the ballot,  
21 pursuant to 3 Guam Code Annotated 17201. Article 2 of chapter 17 of Title 3 shall  
22 apply to such initiative measures to the extent not inconsistent with this act.

23 Section 4. Initiative measure to change number of Senators from 21 to 15. The  
24 following initiative measure shall be placed before the voters at the special election:

25  
26 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
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28 **ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**

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31 Legislature shall be a unicameral body consisting of fifteen (15) members who  
32 are elected as provided by law, commencing with the election of the Twenty-  
33 Fourth Guam Legislature. "

34  
35 Section 5. Initiative measure to change votes to restrict legislative budget to  
36 2.5% of total revenue projections. The following initiative measure shall be placed  
37 before the voters at the special election:

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**BE IT ENACTED BY THE PEOPLE OF GUAM AS AN  
INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD  
ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**

“Section 1. A new section 1121.1 is added to Title 2 of Guam Code Annotated to read:

“Section 1121.1 Budgetary Ceiling Guam Legislature. Effective  
October 1, 1995, the Total budget of the budget of Guam Legislature shall at  
no time exceed two and one-half percent (2.5%) of the total Guam  
Government of Guam revenue projections set for the same fiscal year, as  
enacted into law in the Government of Guam Budget Act for that fiscal year.  
The Legislature must set a revenue projection for the Government of Guam in  
the annual government of Guam budget act.”

Section 6. Initiative measure to change votes to reduce Senatorial Salaries. The  
following initiative measure shall be placed before the voters at the special election:

**BE IT ENACTED BY THE PEOPLE OF GUAM AS AN  
INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD  
ON THE \_\_\_ DAY OF \_\_\_\_\_, 19\_\_:**

“Section 1106 of Title 2 of the Guam Election Code Annotated is hereby amended to  
read:

“Section 1106. Legislative Compensation and allowances.  
Compensation for each member of the Guam Legislature shall be paid in  
twenty-six (26) equal installments at the rate of forty thousand dollars  
(\$40,000.00) per annum. Such compensation shall be paid out of funds to be  
appropriated by the Guam Legislature. This provision shall take effect  
beginning with the convening of the Twenty-Fourth Guam Legislature.”

70 Section 7. Initiative measure to change votes set term limits on Senators. The  
71 following initiative measure shall be placed before the voters at the special election:

72  
73

74 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
75 **INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD**  
76 **ON THE \_\_\_ DAY OF \_\_\_\_, 19\_\_:**

77

78 Section 1. A new Section 1126 is added to Title 2 of the Guam Code

79 Annotated to read as follows:

80 Section 1126. No person who has been elected to four full  
81 successive terms as Senator shall be eligible to run for another term until one  
82 full term has intervened. For purposes of this section successive terms shall  
83 mean terms that commence on and after the date of the inauguration of the  
84 Twenty-Fourth Guam Legislature.

85

86 Section 8. Initiative measure to change votes to pass initiative. The following  
87 initiative measure shall be placed before the voters at the special election:

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89

90 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**  
91 **INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD**  
92 **ON THE \_\_\_ DAY OF \_\_\_\_, 19\_\_:**

93 Section 1. A new Section 17107 is added to 3 Guam Code Annotated to read  
94 as follows:

95 "Section 17107. Votes required to pass an initiative, referendum or  
96 legislative submission. A majority of the valid votes cast thereon shall be  
97 necessary for the approval and enactment into law of any initiative measure,  
98 referendum, or legislative submission. The term valid votes cast thereon shall  
99 include all votes cast in favor or against the proposal but shall not include  
blank, spoiled, or invalid ballots cast."

100 Section 2. Section 17203 of 3 Guam Code Annotated is amended to read as  
101 follows:

102 "Section 17203. Same: Presentation of. The Election Commission  
103 shall submit the initiative to the electorate after certification at the next general  
104 election held at least ninety (90) days after it qualifies. [~~or at a territory-wide  
105 special election held at least ninety (90) days after certification provided  
106 however that the Legislature may call a territory-wide special election for the  
107 purpose of having the electors vote on an initiative measure.] Each initiative  
108 measure shall be on a separate ballot sheet, provided that if there are more than  
109 three initiatives considered at one election the initiatives may be combined on  
110 one or more ballot sheets, and further provided that only one side of the ballot  
111 sheet may be used.~~

112 Section 3. Section 17204 of 3 Guam Code Annotated is amended to read as  
113 follows:

114 "~~[Subsection 17204. Same: Majority Required; Effective Date.~~  
115 ~~"An initiative must be approved by fifty percent (50%) plus one (1) of all  
116 voters who get to the polls to vote in the special or general election at which  
117 the initiative so approved by fifty percent (50%) plus one (1) of all voters who  
118 go to the polls to vote at said elections shall take effect sixty (60) days after the  
119 date on which the Commission certifies that the initiative has been passed.]~~

120 An initiative shall require the number of votes specified in 3 Guam Code  
121 Annotated 17107 to pass."

122  
123  
124

**AGENDA**  
Public Hearing  
Friday, March 9, 1995  
Legislative Public Hearing Room, Agana  
9:00 a.m.

**Resolution No. 6:** RELATIVE TO ADDING A NEW SUBSECTION 6.01.11 TO THE STANDING RULES OF THE TWENTY-THIRD GUAM LEGISLATURE RELATIVE TO LEGISLATION FROM THE GUAM YOUTH CONGRESS.

**Bill No. 7:** AN ACT TO REQUIRE ALL ELECTED OFFICIALS TO FILE AFTER LEAVING OFFICE A REPORT OF GIFTS AND OTHER ITEMS RECEIVED.

**Bill No. 9:** AN ACT TO ESTABLISH THE ANNUAL LEGISLATIVE BUDGET BASED ON THE ESTIMATED OPERATING REVENUES OF THE GOVERNMENT OF GUAM.

**Bill No. 10:** AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS FROM THE GENERAL FUND TO THE OFFICE OF THE PUBLIC AUDITOR FOR THE PURPOSE OF CONDUCTING AN AUDIT OF THE FINANCIAL CONDITION OF THE GUAM LEGISLATURE.

**Bill No. 11:** AN ACT TO ADD A NEW §9110 THROUGH §9116 TO CHAPTER 9, TITLE 2 GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A FINANCIAL IMPACT STATEMENT PRIOR TO PASSAGE OF CERTAIN APPROPRIATIONS BILLS BY THE LEGISLATURE.

**Bill No. 26:** AN ACT TO DE-APPROPRIATE THE SUM OF THREE HUNDRED TWENTY TWO THOUSAND DOLLARS (\$322,000.00) FROM THE APPROPRIATIONS TO THE GUAM LEGISLATURE AND RE-APPROPRIATE SUCH SUM TO THE PUBLIC AUDITOR TO CONDUCT A COMPREHENSIVE AUDIT OF THE GUAM LEGISLATURE AND FOR OTHER PURPOSES.

**Bill No. 31:** AN ACT TO PUT FIVE LEGISLATIVE REFORM PROPOSALS BEFORE THE PEOPLE OF GUAM AS INITIATIVE MEASURES AT A SPECIAL ELECTION.



**FISCAL NOTE**  
**BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

**BBMR-F7**

Bill No. 31  
 Amendatory Bill YES  NO

Date Received 3/15/95  
 Date Reviewed 3/15/95

Department/Agency Affected: Guam Election Commission  
 Department/Agency Head: Mr. Henry Torres, Executive Director  
 Total FY Appropriation to Date: \$534,876

Bill Title (preamble) : AN ACT TO PUT FIVE LEGISLATIVE REFORM PROPOSALS BEFORE THE  
PEOPLE OF GUAM AS INITIATIVE MEASURES AT A SPECIAL ELECTION.

Change in Law: \_\_\_\_\_

Bill's Impact on Present Program Funding:  
 Increase     Decrease     Reallocation     No Change  
 Special  
 Bill is for:     Operations     Capital Improvement     Other ( Election )

**FINANCIAL/PROGRAM IMPACT**

PROGRAM CATEGORY	ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)		TOTAL
	GENERAL FUND	OTHER	
<u>COMMUNITY Service</u>	<u>\$186,000</u>	_____	<u>\$186,000</u>

FUND	ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						TOTAL
	1st	2nd	3rd	4th	5th		
GENERAL FUND	<u>\$186,000</u>	_____	_____	_____	_____	<u>\$186,000</u>	
OTHER	_____	_____	_____	_____	_____	_____	
TOTAL	<u>\$186,000</u>	_____	_____	_____	_____	<u>\$186,000</u>	

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO-IF NO, ADD'L AMOUNT REQUIRED \$186,000  
 AGENCY/PERSON/DATE CONTACTED: Guam Election Commission/ Mr. Henry Torres / 3/15/95

FUND	ESTIMATED POTENTIAL MULTI-YEAR REVENUES						TOTAL
	1st	2nd	3rd	4th	5th		
GENERAL FUND	<u>N/A</u>	_____	_____	_____	_____	_____	
OTHER	_____	_____	_____	_____	_____	_____	
TOTAL	_____	_____	_____	_____	_____	_____	

ANALYST Frank Lizama    DATE 3/15/95    DIRECTOR Francis Balaguer JOSEPH E. RIVERA, Acting DATE \_\_\_\_\_  
 Director

FOOTNOTES: The appropriation amount will be sufficient to cover the Special Election Cost.



TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) REGULAR SESSION

MAR 13 1995

Bill No. 31 (LS)  
Introduced By:

M. Forbes  
D. Parkinson  
J.T. San Agustin  
A. C. Blaz  
A. R. Unpingco  
F. Santos  
J. Aguon  
S. Orsin  
F. Camacho  
E. Barret-Anderson  
C. Leon Guerrero  
J. S. Brown  
A. C. Lamofena

**AN ACT TO PUT FIVE LEGISLATIVE REFORM PROPOSALS  
BEFORE THE PEOPLE OF GUAM AS INTIATIVE MEASURES AT  
A SPECIAL ELECTION.**

**BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM :**

1       **Section 1. Legislative Intent. The Legislature intends that the electorate**  
2       **be given the opportunity to vote on the issues set forth herein. The Legislature**  
3       **further finds that action either by the Legislature or the Governor would be**  
4       **required to hold a special election on these matters and, therefore, calls for such a**  
5       **special election to be held so that the electorate may act on these matters**  
6       **expeditiously.**

7       Section 2. The five (5) initiative measures indicated below shall be put before  
8       the voters at a special election to be held not less than 120 days after the effective date  
9       of this act, nor more than 150 days thereafter, on a Saturday election date to be set by  
10      the election commission, hereinafter referred to as the special election. The day

11 preceding such special election shall not be a holiday. The ballots at such election may  
12 be handcounted at such location(s) as the Election Commission may specify.

13 Section 3. For purposes of this special election as mandated by this act, a  
14 majority of the valid votes cast thereon shall be necessary for the approval and  
15 enactment into law of any of the initiative measure placed before electorate pursuant to  
16 this act. The term valid votes cast thereon shall include all votes cast in favor or  
17 against the proposal but shall not include blank, spoiled, or invalid ballots cast.

18 Section 3. All initiative measures placed on the ballot pursuant to this act shall  
19 be treated as initiative measures which have been duly presented to the Election  
20 Commission with the necessary signatures on petitions for placement on the ballot,  
21 pursuant to 3 Guam Code Annotated 17201. Article 2 of chapter 17 of Title 3 shall  
22 apply to such initiative measures to the extent not inconsistent with this act.

23 Section 4. Initiative measure to change number of Senators from 21 to 15. The  
24 following initiative measure shall be placed before the voters at the special election:

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**BE IT ENACTED BY THE PEOPLE OF GUAM AS AN  
INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD  
ON THE \_\_\_ DAY OF \_\_\_\_, 19\_\_:**

29 "Section 6101 of Title 3 of the Guam Code Annotated is hereby amended to read:

30 "Section 6101. Guam Legislature Description. The Guam  
31 Legislature shall be a unicameral body consisting of fifteen (15) members who  
32 are elected as provided by law, commencing with the election of the Twenty-  
33 Fourth Guam Legislature. "

34

35 Section 5. Initiative measure to change votes to restrict legislative budget to  
36 2.5% of total revenue projections. The following initiative measure shall be placed  
37 before the voters at the special election:

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