



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUN 13 1996

The Honorable Don Parkinson
Speaker
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE SPEAKER	
Date:	<u>June 12, 1996</u>
Time:	<u>9:40 am</u>
Received By:	<u>Arlene B. Torres</u>
Print Name:	<u>Arlene B. Torres</u>


REFER TO
LEGISLATIVE SECRETARY

Dear Mr. Speaker:


Enclosed please find a copy of Substitute Bill No. 223 (LS), "AN ACT TO AMEND PUBLIC LAW NO. 23-01, TO ADD A NEW SECTION 6 TO P. L. 23-01, AND TO PUT A NEW INITIATIVE MEASURE TO THE ELECTORATE TO SET TERMS AND LENGTHS OF TERMS AND TO STAGGER TERMS OF SENATORS, TO CHANGE ORDER OF NAMES ON BALLOTS FOR LEGISLATURE AND TO CHANGE THE FORM OF THE PRIMARY ELECTION BALLOT ", which I have numbered as **Public Law No. 23-99**.

A copy has also been delivered to the Office of the Legislative Secretary.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment
231173


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By:	<u></u>
Time:	<u>10:59</u>
Date:	<u>6/12/96</u>



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUN 13 1996

The Honorable Judith Won-Pat Borja
Legislative Secretary
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	9:55 am
Date	6/13/96

Dear Madame Legislative Secretary:

Enclosed please find a copy of Substitute Bill No. 223 (LS), "AN ACT TO AMEND PUBLIC LAW NO. 23-01, TO ADD A NEW SECTION 6 TO P. L. 23-01, AND TO PUT A NEW INITIATIVE MEASURE TO THE ELECTORATE TO SET TERMS AND LENGTHS OF TERMS AND TO STAGGER TERMS OF SENATORS, TO CHANGE ORDER OF NAMES ON BALLOTS FOR LEGISLATURE AND TO CHANGE THE FORM OF THE PRIMARY ELECTION BALLOT ", which I have numbered as **Public Law No. 23-99**.

A copy has also been delivered to the Office of the Speaker.

Very truly yours,

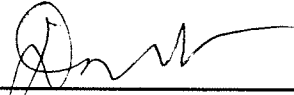

Carl T. C. Gutierrez
Governor of Guam

Attachment
231174

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

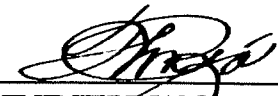
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 223 (LS), "AN ACT TO AMEND PUBLIC LAW NO. 23-01, TO ADD A NEW SECTION 6 TO P. L. 23-01, AND TO PUT A NEW INITIATIVE MEASURE TO THE ELECTORATE TO SET TERMS AND LENGTHS OF TERMS AND TO STAGGER TERMS OF SENATORS, TO CHANGE ORDER OF NAMES ON BALLOTS FOR LEGISLATURE AND TO CHANGE THE FORM OF THE PRIMARY ELECTION BALLOT, "returned to the Legislature without approval of the Governor, was reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 8th day of June, 1996, agree to pass said bill notwithstanding the objection of the Governor by a vote of 14 members.




DON PARKINSON
Speaker

Attested:



JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 12th day of June,
1996, at 9:50 o'clock A.M.



Assistant Staff Officer
Governor's Office

Public Law No. 23-99

TWENTY-THIRD GUAM LEGISLATURE
- 1995 (First) Regular Session

Bill No. 223 (LS)
As amended by the
Committee on Rules and
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
T. C. Ada
M. C. Charfauros
H. A. Cristobal
L. Leon Guerrero
T. S. Nelson
V. C. Pangelinan
A. L. G. Santos
J. Won Pat-Borja

AN ACT TO AMEND PUBLIC LAW NO. 23-01, TO ADD
A NEW SECTION 6 TO P. L. 23-01, AND TO PUT A NEW
INITIATIVE MEASURE TO THE ELECTORATE TO SET
TERMS AND LENGTHS OF TERMS AND TO
STAGGER TERMS OF SENATORS, TO CHANGE
ORDER OF NAMES ON BALLOTS FOR LEGISLATURE
AND TO CHANGE THE FORM OF THE PRIMARY
ELECTION BALLOT.

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

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

3 **Section 2. Placement on Election Ballot.** Notwithstanding any other
4 provision of law, the measures set forth in this Act shall be put before the
5 voters at the next special election or general election, whichever is sooner.

6 **Section 3. Valid Votes.** Notwithstanding any other provision of law
7 and for purposes of this election, a majority of the valid votes cast thereon
8 shall be necessary for the approval and enactment into law of the initiative
9 measures placed before electorate pursuant to this act. The term valid votes
10 cast thereon shall include all votes cast in favor or against the proposals but
11 shall not include blank, spoiled, or invalid ballots cast.

12 **Section 4. Compliance.** Notwithstanding any other provision of law,
13 the measures placed on the ballot pursuant to this act shall be treated as
14 initiative measures which have been duly presented to the Election
15 Commission with the necessary signatures on petitions for placement on the
16 ballot, pursuant to 3 Guam Code Annotated §17201. Article 2 of Chapter 17 of
17 Title 3 shall apply to such initiative measures to the extent not inconsistent
18 with this act.

19 **Section 5. Amend Public Law 23-01.** Section 5 of Public Law 23-01 shall
20 be amended to read:

21 *"SECTION 5. Initiative measure to change number of Senators*
22 *from twenty-one (21) to fifteen (15). The following initiative measure*
23 *shall be placed before the voters at the election:*

24 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**
25 **INITIATIVE MEASURE ADOPTED AT AN ELECTION HELD ON**
26 **THE ___ DAY OF _____, 19___:**

1 Section 1. Section 6101 of Title 3 of the Guam Code
2 Annotated is hereby amended to read:

3 "Section 6101. *Guam Legislature Description.* the
4 Guam Legislature shall be a unicameral body of fifteen (15)
5 members who are elected at large and as provided by law.

6 **Section 6. ADD A NEW SECTION TO PUBLIC LAW 23-01.** A new
7 section is hereby added to Public Law 23-01 to read:

8 "SECTION 7. **EFFECTIVE DATE.** The measure placed before
9 the voters of Guam pursuant to this act and notwithstanding any other
10 provision of law, shall be effective for the election of the Legislature
11 elected subsequent to the effective date of the measure, as defined in
12 §17204 of Title 3, Guam Code Annotated, and all subsequent Legislative
13 elections."

14 **Section 7. Initiative measure to set term limits, length of term, and to**
15 **stagger terms of Senators.** Notwithstanding any other provision of law, the
16 following initiative measure shall be placed before the voters of Guam at the
17 next special or general election, whichever is sooner:

18 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF**
19 **GUAM AS AN INITIATIVE MEASURE ADOPTED AT AN ELECTION**
20 **HELD ON THE ____ DAY OF _____, 1996:**

21 Section 1. Section 1105 of Title 2 of the Guam Code Annotated is
22 repealed and re-enacted to read:

23 "Section 1105. *Senators, Term of.*

24 (a) Pursuant to Section 1423 (d) of the Organic Act of
25 Guam, the general election for the office of Senator of the Guam
26 Legislature shall be held in even-numbered years on the Tuesday
27 next after the first Monday in November.

1 (b) In the general election of 1998, fifty percent (50%)
2 rounded up to the next higher integer of the total number of
3 Legislative seats shall be elected to a term of four years, the term
4 to commence at 10 a.m. on the first Monday in January of 1999
5 and shall continue until their successors have been duly qualified
6 and seated after the general election of 2002. The remaining
7 individuals elected Senator shall serve an initial term of two
8 years, the term to commence at 10 a.m. on the first Monday in
9 January of 1999 and shall continue until their successors have been
10 duly qualified and seated after the general election of 2000. The
11 decision of which persons shall serve the initial term of two years
12 shall be as provided by Section 5101 of Title 3 of the Guam Code
13 Annotated.

14 (c) Commencing in 2000 and continuing every four years
15 thereafter fifty percent (50%) rounded up to the next higher
16 integer of the total number of Legislative seats shall serve a term
17 of four years as Senators of the Guam Legislature, the term to
18 commence at 10 a.m. on the first Monday in January following the
19 election and continuing until 9:59 a.m. of the first Monday in
20 January four years after the election.

21 (d) Commencing in the year 2002 and continuing every four
22 years thereafter fifty percent (50%) rounded up to the next higher
23 integer of the total number of Legislative seats shall serve a term
24 of four years as Senators of the Guam Legislature, the term to
25 commence at 10 a.m. on the first Monday in January following the
26 election and continuing until 9:59 a.m. of the first Monday in
27 January four years after the election.

1 (e) Commencing with the election of 2000 no person who
2 has been elected to three (3) full successive four (4) year terms as
3 Senator shall again be eligible to hold that office until one full
4 term has intervened.

5 **Section 2.** Section 5101 of Title 3 of the Guam Code Annotated is
6 repealed and re-enacted to read:

7 "**Section 5101.** General Elections for Legislature.

8 (a) General Election for the Guam Legislature shall be held
9 on the Tuesday next after the first Monday in November every
10 two years in even-numbered years. In 1998 fifty percent (50%)
11 rounded up to the next higher integer of the total number of
12 Legislative seats shall serve a term of four years and the
13 remaining persons shall be elected to a term of two years. In 2000
14 and every fourth year thereafter a number representing fifty
15 percent (50%) rounded down to an integer of the total number of
16 Legislative seats shall be elected to a term of four years and in
17 the year 2002 and every fourth year thereafter fifty percent (50%)
18 rounded up to the next higher integer of the total number of
19 Legislative seats shall be elected to a term of four years.

20 (b) Those elected at such a general election shall be eligible
21 to qualify on the day that the Commission certifies to their due
22 election, which shall be within ten (10) calendar days following
23 such election, and shall continue until the next election held in
24 accordance of the laws of the territory of Guam and until their
25 successors have duly qualified.

26 (c) Within ten (10) days of the declaration of the results of
27 the election for the legislature in 1998 the Commission shall

1 choose by lot in the same fashion by which ballot placement is
2 determined, the fifty percent (50%) rounded up to the next higher
3 integer of the total number of Legislative seats shall serve terms
4 of four years and the remaining persons elected to the initial term
5 of two years. Any person who is successful in contesting the
6 declaration of any other person shall serve the same term as
7 would have been served by the first person declared elected by the
8 Commission."

9 **Section 3.** Section 6103 of Title 3 of the Guam Code Annotated is
10 repealed and re-enacted to read:

11 "Section 6103. Term of Office. In 1998 fifty percent (50%)
12 rounded up to the next higher integer of the total number of
13 Legislative seats shall serve a term of four years and the
14 remaining individuals shall serve a term of two years. In 2000 and
15 every fourth year thereafter a number representing fifty percent
16 (50%) rounded down to an integer of the total number of
17 Legislative seats shall be elected to a term of four years and in
18 2002 and every fourth year thereafter fifty percent rounded up to
19 the next higher integer of the total number of Legislature shall
20 be elected to a term of four years."

21 **Section 4.** Section 7105 of Title 3 of the Guam Code Annotated is
22 amended to read:

23 "Section 7105. Order of Names on Ballot -- Legislature. The
24 Commission shall prepare the ballot in such a manner that nominee's
25 name shall appear under the name of the political party, if any,
26 sponsoring such nominee.

1 In all elections, the names of all nominees or candidates for a
2 specific office shall be listed in a random manner. Each contestant for
3 any office under a party or independent designation shall be listed
4 according to lot drawn by the Election Commission. All drawing for
5 ballot position shall be done publicly and persons appearing on the
6 ballot shall be specifically invited to attend. The drawings for ballot
7 placement shall be accomplished as soon as is reasonably possible after
8 the identity of the persons to appear on the ballot is known to the
9 Election Commission.

10 The names of the nominees shall appear in columns vertically in
11 such order as is determined by lot. Columns for recognized political
12 parties shall be listed on the basis of the number of seats held in the
13 Legislature as of August 1 in the year of the election in descending order
14 from left to right; last shall appear the names of those nominees not
15 sponsored by any political party, which shall appear under the
16 designation "Independent". The names of all nominees holding the
17 office for which they are seeking election shall have the word
18 "Incumbent" printed immediately after them."

19 Section 5. Section 16301 (e) of Title 3 of the Guam Code
20 Annotated is amended to read:

21 "(e) The ballot shall be divided so that the party holding the
22 greatest number of seats in the Legislature as of August 1 in the
23 year of the election shall appear first on the left on the ballot
24 below the words, in bold-faced type, " **PARTY PRIMARY**
25 **CANDIDATES**"; the ballot for each office for which party
26 nominations are sought shall contain instruction to the voters as
27 to the maximum number of candidates that may be selected for

1
2
3

that office; that party's candidates for nomination for each office shall be listed on the ballot in random order in a manner similar to that established election ballot listing and placement."

Date: 6/8/96

VOTING SHEET

✓ Bill No. 223

Resolution No. _____

Question: Shall vetoed B223 be enacted into law notwithstanding however

NAME	YEAS	NAYS	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	✓			
SAM AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.		✓		
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith		✓		

TOTAL 14 5 2

CERTIFIED TRUE AND CORRECT:

Recording Secretary

OFFICE OF THE LEGISLATIVE SECRETARY
 ACKNOWLEDGMENT RECEIPT
 Received by: Spillifan
 Time: 4:57
 Date: 5/1/96



CARL T.C. GUTIERREZ
 GOVERNOR OF GUAM

OFFICE OF THE CLERK
 Date: 5/1/96
 Time: 3:00
 Received By: W
 Print Name: Wesley

MAY 01 1996

The Honorable Speaker
 Twenty-Third Guam Legislature
 Guam Legislature Temporary Building
 155 Hesler Street
 Agana, Guam 96910

LEGISLATIVE SECRETARY

Dear Speaker:

Enclosed please find Substitute Bill No. 223 (LS), "AN ACT TO AMEND PUBLIC LAW NO. 23-01, TO ADD A NEW SECTION 6 TO P. L. 23-01, AND TO PUT A NEW INITIATIVE MEASURE TO THE ELECTORATE TO SET TERMS AND LENGTHS OF TERMS AND TO STAGGER TERMS OF SENATORS, TO CHANGE ORDER OF NAMES ON BALLOTS FOR LEGISLATURE AND TO CHANGE THE FORM OF THE PRIMARY ELECTION BALLOT", which I have vetoed.

The title of the bill is a little misleading with regard to its content. The bill states that the bill's purpose is to set terms and lengths of terms for senators. The legislation is putting before the people a measure for the people to decide if they want to **lengthen** the terms for all senators to **4-year terms**, with half of the senators elected in alternate election years. Although term limits are also included, the term limits do not take effect until a senator serves 3 4-year terms, no matter how many terms have been served prior to enactment of the legislation.

This legislation contains defects which should not be placed before the people on a ballot.

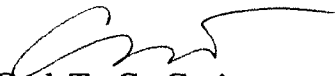
1. First, in the 1998 election, the voter will not know if he or she is electing 21 senators to a 2-year term, or 11 senators to 4-year terms and the remaining 10 senators to 2-year terms. This will result because the "initiative" will be on the ballot at the same election year, 1998, in which the provisions are to go into effect. In other words, the language placed before the voter indicates that it applies to the 1998 election, but the voter will be voting for 21 senators during that same election.

2. The bill contains inconsistent language concerning the number of senators to be elected in the 1998 election to 4-year terms. Page 4, line 15 states that for the 1998 election "fifty percent (50%) rounded **up** to the next higher integer of the total number of Legislative seats" (which is 11) will be elected to 4-year terms. This is inconsistent with the language on page 5, line 15, which states that for the 1998 election "fifty percent (50%) rounded **down** to an integer of the total number of Legislative seats" (which is 10) will be elected to 4-year terms.

4. The Legislation leaves the territory with either 10 or 11 senators only, out of 21, in office for 1 minute between 9:59 a. m. and 10:00 a. m. on the First Monday in January after each election. There is a gap in time where there are only half of the full constituent of 21 senators in office. The newly elected senators take office 1 minute after the previously elected senators leave office.

I do not believe that any proposed legislation should be submitted to the people of Guam for their consideration and vote that is defective on its face in its operation and language.

Very truly yours,



Carl T. C. Gutierrez
Governor of Guam

Attachment

231104

TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

Date: 4/19/96

VOTING SHEET

Bill No. 223

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	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 21 0 0 0

CERTIFIED TRUE AND CORRECT:

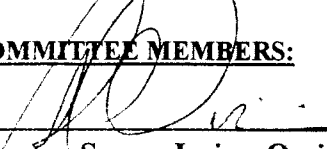
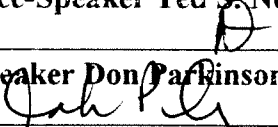
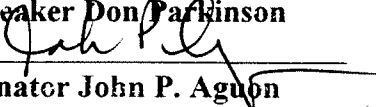
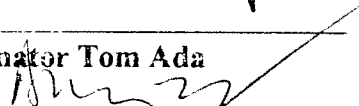

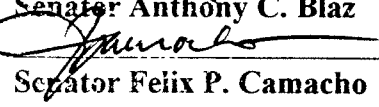
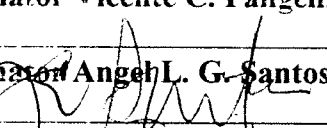
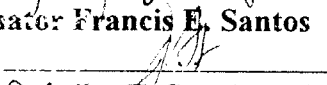
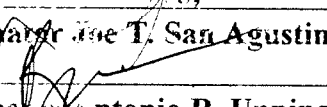
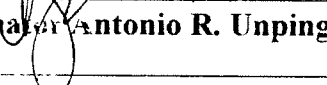
Recording Secretary

COMMITTEE ON RULES

TWENTY-THIRD GUAM LEGISLATURE

VOTE SHEET

Substitute Bill No. 223. AN ACT TO PUT A LEGISLATIVE REFORM PROPOSAL CONCERNING TERM LIMITS ON SENATORS BEFORE THE PEOPLE OF GUAM AS AN INITIATIVE

<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	✓			
Vice-Speaker Ted S. Nelson, Vice-Chairman				
 Speaker Don Parkinson	✓			
 Senator John P. Aguon	✓			
 Senator Tom Ada	✓			
 Senator Anthony C. Blaz	✓			
 Senator Felix P. Camacho				
Senator Mark C. Charfauros				
Senator Hope A. Cristobal	✓			
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 REPORT ON SUBSTITUTE BILL NO. 223

Substitute Bill No. 223. AN ACT TO PUT A LEGISLATIVE REFORM PROPOSAL CONCERNING TERM LIMITS ON SENATORS BEFORE THE PEOPLE OF GUAM AS AN INITIATIVE MEASURE.

PREFACE

The Committee on Rules convened at 9:00 a.m., Wednesday, July 26, 1995, the Legislature's Public Hearing Room in Agana, Guam.

Alongside Chairman Sonny Lujan Orsini was Speaker Don Parkinson and Senators Anthony C. Blaz and Elizabeth Barrett-Anderson.

OVERVIEW

Bill 223 proposes to place in the next Special or General Election an initiative for the people of Guam to vote and voice their reference to the said initiative.

The passage of Bill 223 would place an initiative to establish a limit of four (4) successive terms of which a member of the Guam Legislature may serve.

Section 3 of Bill 223 would set the said initiative as an exception to the Santos amendment and count only those votes submitted for or against said initiative.

Section 4 automatically make said initiative in compliance with all prerequisites for initiatives to be placed in the ballot.

COMMITTEE FINDINGS

Bill 223 was scheduled for a public hearing on July 26, 1995. However, no individuals showed up to testify. Since the contents of Bill 223 were included in Bill No. 31, Chairman, Sonny Lujan Orsini declared the bill heard with the testimony received on Thursday, March 9, 1995 for Bill 31.

Senator Mark Forbes testified before the Committee in support of returning the power to govern back to the people. Stating that as elected officials and public servants, we should permit the people to participate and express their wishes of the manner of the manner government should run.

Senator Anthony Blaz expressed his support of empowering the people to decide on important policies of the Territory.

Mr. Philip J. Flores, the Chairman of the Republican Party of Guam was unable to attend the public hearing but sent a letter of support of Bill No. 223. (Attachment 1)

At the conclusion of remarks and testimony, Chairman Orsini expressed his support of the Bill and concluded the meeting.

COMMITTEE RECOMMENDATION

In light of the strong voice expressed during the initiative drive and by the number of signatures received during the circulation of the initiatives, the Committee on Rules wishes to report out Bill 223 with the recommendation to **DO PASS**.

TWENTY-THIRD GUAM LEGISLATURE

1995 (FIRST) Regular Session

Substitute Bill No. 223

As amended by the
Committee on Rules

Introduced by:

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

AN ACT TO PUT A LEGISLATIVE PROPOSAL CONCERNING TERM LIMITS ON SENATORS BEFORE THE PEOPLE OF GUAM AS AN INITIATIVE MEASURE.

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

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

7 **Section 2. Placement on Election Ballot.** The initiative measure set forth in this
8 Act shall be put before the voters at a Special Election if funds are appropriated.
9 Otherwise, the initiative set within shall be placed in the ballot of the next General
10 Election.

11 **Section 3. Valid Votes.** For purposes of this initiative, a majority of the valid
12 votes cast thereon shall be necessary for the approval and enactment into law of the
13 initiative measure placed before the electorate pursuant to this act. The term valid votes
14 cast thereon shall include all votes cast in favor or against the proposal but shall not
15 include blank, spoiled or invalid ballots cast.

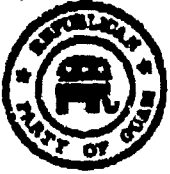
16 **Section 4. Compliance.** The Initiative measure placed on the ballot pursuant
17 to this Act shall be treated as an initiative measure which has been duly presented to the
18 election commission with the necessary signatures on petitions for placement on the ballot,
19 pursuant to 3 GCA §§17201. Article 2 of Chapter 17 of Title 3, Guam Code Annotated
20 apply to such initiative measure to the extent not inconsistent with this act.

1 **Section 5. Initiative measure to set term limits on Senators.** The following
2 initiative measure shall be placed before the voters of Guam at the next special election or
3 general election, whichever is sooner:
4

5 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF**
6 **GUAM AS AN INITIATIVE MEASURE ADOPTED AT AN**
7 **ELECTION HELD ON THE ____ DAY OF ___, 1996:**
8

9 *Section 1. A new section 1126 is added to Title 2 of Guam Code*
10 *Annotated to read as follows:*

11 *"Section 1126. Term Limits. No person who has been*
12 *elected to four (4) full successive terms as Senator shall be eligible to run*
13 *for another term until one full term has intervened. For purposes of this*
14 *section, successive terms shall mean , terms that commence on and after*
15 *the date of the inauguration of the Twenty-Fourt Guam Legislature."*



Republican Party of Guam

P.O. Box 2846
Agana, Guam 96910

Phone: (671) 477-2671
Fax: (671) 477-1483

AUGUST 2, 1995

HONORABLE SONNY LUJAN ORSINI
CHAIRMAN
COMMITTEE ON RULES
TWENTY-THIRD GUAM LEGISLATURE
155 HESLER STREET
AGANA, GUAM 96910

DEAR SENATOR ORSINI:

WE ARE WRITING IN REFERENCE TO YOUR LETTER TO ME OF JULY 19, 1995 WHICH LETTER INVITED THE REPUBLICAN PARTY OF GUAM TO TESTIFY ON BILLS 170, 220 AND 223 DURING YOUR JULY 26TH HEARING.

I RETURNED TO GUAM AFTER JULY 26TH AND THUS WAS NOT IN RECEIPT OF YOUR LETTER IN TIME TO ASK A PARTY REPRESENTATIVE TO TESTIFY.

ACCORDINGLY WE PROVIDE THIS LETTER TO YOU IN SUPPORT OF BILLS 170, 220 AND 223.

WE WOULD LIKE TO RESERVE COMMENT ON BILL 304 AT THIS TIME.

THANK YOU.

WITH BEST REGARDS, WE REMAIN.

CORDIALLY YOURS.


PHILIP J. FLORES
CHAIRMAN

CC: REPUBLICAN MEMBERS, 23RD GUAM LEGISLATURE
REPUBLICAN MAYORS

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR - F7

Bill No. 223

Received: 5/09/95

Amendatory Bill: No _____

Date Reviewed: 5/15/95

Department/Agency Affected: Guam Legislature and Election Commission

Department/Agency Head: Richard L. Underwood and Henry A. Torres

Total FY 1995 Appropriation to Date: \$19,287,511 and \$534,876

Bill Title (preamble): AN ACT TO PUT A LEGISLATIVE REFORM PROPOSAL CONCERNING TERM LIMITS OF SENATORS BEFORE THE PEOPLE OF GUAM AS AN INITIATIVE MEASURE.

Change in Law: To add a new Section 1126 to 2 GCA

Bill's Impact on Present Program Funding:

Increase (GEC) _____ Decrease _____ Reallocation _____ No Change (Leg.) _____

Bill is for:

Operations _____ Capital Improvement _____ Other _____

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Legislature	1/		1/

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	1/					1/
OTHER						
TOTAL	1/					1/

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? 1/ IF NO, ADD'L AMOUNT REQUIRED \$ 1/

AGENCY/PERSON/DATE CONTACTED: Election Commission/Liz Blas/5-15-95

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

ANALYST Angela E. Merfalen

DATE 5/17/95

DIRECTOR Joseph E. Rivera, Acting

DATE 5/18/95

FOOTNOTES: 1/ Bill No. 223 does not provide a General Fund appropriation measure for the Guam Election Commission. However, to include any number of initiative measures under one (1) ballot during the next special or general election whichever is sooner, is estimated to cost \$50,000.

It is noted that presently, the General Fund appropriation level totals \$545 million and the FY 1995 revenue forecast is \$52 million resulting in an \$18 million deficiency for Fiscal Year 1995.

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 INITIATIVE 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 ballot 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 **BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**
31 **INITIATIVE MEASURE ADOPTED AT A SPECIAL ELECTION HELD**
32 **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."

Introduced

APR 20 1995

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST REGULAR SESSION)

Bill No. 223 (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. Barrett-Anderson
C. Leon Guerrero
J.S. Brown
A.C. Lamorena

AN ACT TO PUT A LEGISLATIVE REFORM PROPOSAL CONCERNING
TERM LIMITS ON SENATORS BEFORE THE PEOPLE OF GUAM
AS AN INITIATIVE MEASURE.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2

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

8 Section 2. The initiative measure indicated below shall be put before the voters
9 at the next special or general election, whichever is sooner.

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

1 Section 4. The initiative measure placed on the ballot pursuant to this act shall
2 be treated as an initiative measure which has been duly presented to the Election
3 Commission with the necessary signatures on petitions for placement on the ballot,
4 pursuant to 3 Guam Code Annotated 17201. Article 2 of chapter 17 of Title 3 shall
5 apply to such initiative measure to the extent not inconsistent with this act.

6 Section 5. Initiative measure to set term limits on Senators. The following
7 initiative measure shall be placed before the voters at the next special election or
8 general election, whichever is sooner:

9

10 BE IT ENACTED BY THE PEOPLE OF GUAM AS AN INITIATIVE
11 MEASURE ADOPTED AT AN ELECTION HELD ON THE _____ DAY OF
12 _____, 19 _____:

13

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

16

17

18

19

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