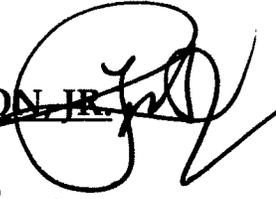


MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 276-30(LS)

Introduced by:

FRANK B. AGUON JR.



AN ACT RELATIVE TO EMPOWERING THE PEOPLE OF GUAM IN EXPANDING DEMOCRACY AND DIRECT REPRESENTATION IN I LIHESLATURA GUAHAN BY WAY OF PLACING A PROPOSAL BEFORE THE VOTERS OF GUAM TO ADJUST THE NUMBER OF SENATORS TO TWENTY-ONE (21), AND PROVIDING FOR LEGISLATIVE BUDGETARY RESTRICTIONS THEREIN; THROUGH AMENDING §6101 OF CHAPTER 6, TITLE 3, GUAM CODE ANNOTATED, AND, ADDING A NEW §6101.1 TO CHAPTER 6, TITLE 3, GUAM CODE ANNOTATED.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** The Decennial Census
2 provides key socio-economic, demographic and housing information on
3 the people of Guam's changing lifestyles, quality of life, and access to
4 opportunities and resources necessary to insure the achievement of the
5 touted *American Dream*, i.e., affordable, livable homes, good, accessible
6 healthcare, a sound educational system, personal safety, and economic
7 security.

1 I Liheslaturan Guahan finds that, historically, from the 1st through
2 26th Guam Legislatures, the people of Guam had a close and connected
3 relationship with their elected leaders. Access to elected leaders was the
4 norm – not the exception, as is the case in other American municipalities.
5 Reduced legislative numbers has resulted in diminished representation,
6 has caused a distancing and widening sense of inaccessibility, and is
7 promoting an ever increasing disconnectedness between the people and
8 those elected to lead them. This is incompatible with Guam’s peoples view
9 and practice of participatory democracy.

10 With the significant increase in population, access to elected
11 representatives of the people is diminished at an increasing rate directly
12 proportional to the rate of immigration and in-migration. Of immediate
13 concern, with the pending military buildup, we can already see the current
14 impact, and can realistically anticipate that the situation will be further
15 exacerbated over the next few years. It is the belief of I Liheslaturan
16 Guahan that the ever changing and increasing influences upon our
17 people’s lives are best mitigated through accessible leadership by way of
18 the reestablishment of an inclusive and connected legislative structure, and
19 thereby, insuring participatory democracy; however, I Liheslaturan finds
20 that this is ultimately a decision only the people of Guam can and should
21 make through a direct, participatory democratic process, i.e., a referendum.

22 It is the intent of I Liheslaturan Guahan to put before the people the
23 opportunity to once again review and decide the democratic structures and

1 processes by which they choose to be governed. Foremost among these is
2 the issue of the number of senators they desire to have representing them
3 in their, *the peoples*, Legislature.

4 It is further the intent of I Liheslaturan Guahan, as a cost saving
5 measure, that should the people choose to adopt the measure provided for
6 in this Act, the annual budget of the Legislative and Committee offices, not
7 inclusive of the Legislature's Central Operations, shall not exceed the
8 current prorata sum of the existing Guam Legislature. Central Operations
9 shall have an annual budget not to exceed the annual budget for the
10 existing Guam Legislature for Central Operations. Further, the staffing
11 pattern for Central Operations shall likewise remain status quo and shall
12 not be increased above the number of positions authorized in the existing
13 Guam Legislature budget.

14 **Section 2. Placement on Election Ballot.**

15 Notwithstanding any other provision of law, the measure set forth in
16 this Act shall be put before the voters at the next special election or general
17 election, whichever is sooner.

18 **Section 3. Valid Votes.** Notwithstanding any other provision of
19 law and for purposes of this election, a majority of the valid votes cast
20 thereon shall be necessary for the approval and enactment into law of the
21 initiative measure placed before the electorate pursuant to this act. The

1 term valid votes cast thereon shall include all votes cast in favor or against
2 the proposal but shall not include blank, spoiled, or invalid ballots cast.

3 **Section 4. Liheslaturan Guahan, from fifteen (15) Senators to**
4 **twenty-one (21) Senators.**

5 The following initiative measure shall be placed before the voters at
6 the election:

7 **"BE IT ENACTED BY THE PEOPLE OF GUAM AS AN**
8 **INITIATIVE MEASURE ADOPTED AT AN ELECTION HELD ON THE**
9 **_____ DAY OF _____, 20____:**

10 **Section 1.** Section 6101 of Chapter 6, Title 3, Guam Code Annotated,
11 is amended to read:

12 **"§6101. Guam Legislature Description.**

13 *I Liheslaturan Guahan* shall be a unicameral body of twenty-one
14 (21) members who are elected at large and as provided by law."

15 **Section 2.** A new Section 6101.1 is added to Chapter 6 of Title 3,
16 Guam Code Annotated, to read:

17 **"§6101.1. Budget Restrictions.**

18 (a) *I Liheslaturan Guahan's* budget for senatorial and
19 committee offices, not inclusive of Central Operations, shall not
20 exceed the prorata sum of *I Liheslaturan Guahan's* budget as provided

1 for the existing Guam Legislative body on the enactment date of this
2 Act; and further,

3 (b) *I Liheslaturan Guahan's* Central Operations staffing pattern
4 shall not be increased above the number of positions authorized for
5 on the enactment date of this Act.""

6 **Section 5. Effective Date.** The measure placed before the voters of
7 Guam pursuant to this Act, and notwithstanding any other provision of
8 law, shall be effective for the election of the Legislature elected subsequent
9 to the effective date of the measure, as defined in §17204 of Chapter 17,
10 Title 3, Guam Code Annotated, and all subsequent Legislative elections.