

DRAFT RESPONSE TO SENATOR MANGLONA'S LETTER OF  
SEPTEMBER 7, 1995

Dear Senator Manglona:

Your letter of September 7, 1995 arrived while I was off island and thus my response has been delayed until my return yesterday.

I understand that the Senate did not act during my absence on the proposed deferral of the ratification vote on the amendments proposed by the Third Constitutional Convention or any other legislation relevant to the work of the Convention. It is, of course, the Senate's prerogative to make its own judgment whether the time remaining before the November 1995 general election provides sufficient time for political education on the proposed constitutional amendments. The Senate's failure to act on the issue reflects its determination that deferral is not required to ensure an informed vote by the electorate on the amendments proposed by the Third Constitutional Convention.

Although more time might have been desirable, the Post Convention Committee is fully committed to an effective political education program that will inform the voters before the upcoming general election. We have already had meetings with interest groups and media appearances, and plans are underway for a comprehensive education program.

I do not understand your uncertainty about what the Third Constitutional Convention is proposing with respect to changes in the Constitution. The Convention submitted to the President of the Senate by letter dated August 10, 1995 (and other appropriate government officials) copies of the Constitution as proposed to be amended and the accompanying Analysis that sets forth each and every change proposed by the Convention. This complies fully with the requirement of the enabling legislation.

We are currently in discussion with the Board of Elections regarding the format of the ballot to be placed before the voters in November. It is important that the voters have the clearest possible understanding of their choices and the Post Convention Committee has devoted considerable effort to this end. The Post Convention Committee reviewed your letter with counsel and there is no question but that the Convention acted in accord with the Constitution and all applicable legal requirements. Moreover, we are confident that the number, format and wording of the proposed amendments placed before the voters will meet every legal requirement and enable the voters to make informed judgments whether the changes recommended by the Convention delegates are preferable to the status quo.

We recognize that you and others may disagree with some of the Convention's recommendations. That certainly is your right. We welcome debate on the merits of the Convention's proposed changes in the Constitution. Open debate on the merits, rather than threatened litigation to invalidate the work of the elected Convention delegates on a meritless contention, is a course that we think you would prefer and endorse.

We would welcome the opportunity to meet with you and your staff to discuss our approach to the ballot format in more detail at your convenience.

Sincerely,

Herman T. Guerrero  
Chair, Post Convention  
Committee