

77TH CONGRESS
2^D SESSION

H. R. 7352

IN THE HOUSE OF REPRESENTATIVES

JULY 6, 1942

Mr. PAGÁN introduced the following bill; which was referred to the Committee on Insular Affairs

A BILL

To provide a greater degree of self-government to the Territory of Puerto Rico; to provide for the election of the Governor by the people of Puerto Rico and, to that effect, to amend the Organic Act of Puerto Rico; and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the purpose of this Act is to establish a greater degree
4 of self-government to Puerto Rico as a further step toward
5 the final status of Puerto Rico within the United States of
6 America.

7 SEC. 2. Section 12 of "An Act to provide a civil gov-
8 ernment for Porto Rico, and for other purposes", approved

1 March 2, 1917, as amended, is hereby amended by adding
2 the following paragraphs, which will read as follows:

3 "That at the general election to be held in Puerto Rico
4 on the first Tuesday after the first Monday in November
5 1944 and thereafter at each general election, the qualified
6 electors of Puerto Rico shall elect the Governor, who shall
7 qualify as such on the first Monday of January of the suc-
8 ceeding year, and upon such qualification the office of the
9 preceding Governor shall cease and terminate. A Vice Gov-
10 ernor shall also at such time be elected for a term of four
11 years under like conditions. The Vice Governor shall be the
12 ex officio president of the senate of Puerto Rico, but shall
13 only have a casting vote therein, and shall receive a salary of
14 \$6,000 per annum. The Governor and Vice Governor thus
15 elected shall hold their offices for a term of four years and
16 until their successors have been elected and have qualified.

17 "No person shall be eligible to the office of Governor or
18 Vice Governor who has not been a citizen of the United States
19 and a resident of Puerto Rico five years next preceding his
20 election, and attained the age of thirty years at the time of
21 such election.

22 "In case of the impeachment of the Governor, or his re-
23 moval from office, death, inability to discharge the powers
24 and duties of his office, resignation, or absence from Puerto
25 Rico, the powers and duties of the office shall devolve upon

1 the Vice Governor for the residue of the term, during the
2 absence, or until the disability shall cease. And should the
3 Vice Governor be impeached, displaced, resign, die, or be-
4 come incapable of performing the duties of his office, or be
5 absent from Puerto Rico, the president pro tempore of the
6 senate shall act as Governor until the vacancy in the office
7 of Governor shall be filled at the next general election when
8 members of the legislature shall be chosen, or until such
9 disability of the Vice Governor shall cease. In case of a
10 vacancy in the office of Governor for any of the reasons above
11 named, and neither the Vice Governor nor the president
12 pro tempore of the senate succeed to the powers and duties
13 of Governor, then the powers and duties of such office shall
14 devolve upon the speaker of the house.

15 "The elective Governor, or the Vice Governor when
16 acting as Governor, may be impeached by the insular
17 house of representatives and, on trial by the insular
18 senate, may be removed by a two-thirds vote of the latter
19 body for any impeachment cause. Judgment in cases of
20 impeachment shall not extend further than to removal from
21 office and disqualification to hold and enjoy any office of
22 honor, trust, or profit in Puerto Rico, by the party convicted,
23 which nevertheless will be liable and subject to indictment,
24 trial, judgment, and punishment according to law.

25 "That on the first Tuesday after the first Monday in De-

1 cember 1942, a special general election will be held in
2 Puerto Rico to elect the Governor and the Vice Governor, to
3 hold offices until their successors are elected and qualified.
4 The Governor and the Vice Governor so elected shall qualify
5 and take possession of office at noon on the second Monday
6 of January 1943, at which time the office of the appointed
7 Governor will cease and terminate.”

8 SEC. 3. Section 13 of “An Act to provide a civil govern-
9 ment for Porto Rico, and for other purposes”, approved
10 March 2, 1917, as amended, is hereby amended by adding the
11 following paragraph:

12 “The term of office of said heads of departments shall
13 cease and terminate upon the election and qualification of
14 the Governor as provided in section 12: *Provided*, That the
15 Attorney General and the Commissioner of Education, there-
16 after, shall also be appointed by the Governor, with the
17 advice and consent of the Insular Senate.”

18 SEC. 4. Section 24 of “An Act to provide a civil govern-
19 ment for Porto Rico, and for other purposes”, approved
20 March 2, 1917, as amended, is hereby amended to read as
21 follows:

22 “SEC. 24. That the President may from time to time
23 designate the head of an executive department of Puerto
24 Rico to act as Governor in the case of a vacancy, the tem-
25 porary removal, resignation, or disability of the Governor

1 appointed by the President, or his temporary absence, and
2 the head of the department thus designated shall exercise
3 all the powers and perform all the duties of the Governor
4 during such vacancy, disability, or absence.”

5 SEC. 5. Section 32 of “An Act to provide a civil govern-
6 ment for Porto Rico, and for other purposes”, approved
7 March 2, 1917, as amended, is hereby amended to read as
8 follows:

9 “SEC. 32. That the senate and house of representatives,
10 respectively, shall be the sole judges of the election, returns,
11 and qualifications of their members and they shall have
12 and exercise all the powers with respect to the conduct and
13 proceedings that is usually pertained to parliamentary bodies.
14 Both houses shall convene at the capital on the second Mon-
15 day in February following the next election and organize by
16 the election of a speaker or a presiding officer, a clerk, and a
17 sergeant at arms for the house of representatives, and by
18 the election of a president pro tempore, a clerk, and a ser-
19 geant at arms for the senate, and each house by such other
20 officers and assistants as may be required.”

21 SEC. 6. Section 34 of “An Act to provide a civil govern-
22 ment for Porto Rico, and for other purposes”, approved
23 March 2, 1917, as amended, is hereby amended by adding
24 a final paragraph which will read as follows:

25 “The house of representatives shall have the sole power

1 of impeachment. The vote of two-thirds of all members pres-
2 ent shall be required to impeach any officer, and all impeach-
3 ments shall be tried by the senate. When sitting for that
4 purpose, each senator shall be upon oath or affirmation,
5 and no person shall be convicted without the concurrence of
6 two-thirds of all the senators elected. The senate may ad-
7 journ to a fixed date for the trial of an impeachment, and
8 may meet for the purpose of said trial whether the house of
9 representatives be in session or not, or at any time after
10 the expiration of the date fixed by this Act to expire the
11 regular session of the legislative assembly of Puerto Rico,
12 but the time fixed for such trial shall not be more than six
13 months from the time the articles of impeachment shall be
14 preferred by the house of representatives. The chief justice
15 shall preside at all trials by impeachment.”

16 SEC. 7. The elective Governor and the Vice Governor
17 shall be nominated in the same way as provided by the laws
18 of Puerto Rico for the nomination of the Resident Commis-
19 sioner of Puerto Rico to the United States: *Provided*, That
20 the date for filing the candidates for Governor and Vice
21 Governor to be voted at the special general election to be
22 held in 1942 shall not expire before October 31, 1942.

23 SEC. 8. A sum not exceeding \$500,000 is hereby appro-

1 priated from the treasury of Puerto Rico for the govern-
2 ment expenses of said special general election of 1942.

3 Sec. 9. All laws or parts of law inconsistent with the
4 present Act, are hereby repealed.

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