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CHANGES FOR STYLE,
CONSISTENCY AND CLARITY
RECOMMENDED BY THE CONSULTANTS

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ARTICLE III: THE EXECUTIVE BRANCH
OF GOVERNMENT

Section 1: Executive Power. The executive power of the Commonwealth shall be vested in a governor who shall be responsible for the faithful execution of the laws.

Section 2: Qualifications of the Governor. The governor shall be qualified to vote in the Commonwealth, at least thirty years of age, and a resident and domiciliary of the Commonwealth for at least seven years immediately preceding the date on which the governor takes office. A different period of residence and domicile may be provided by law. No person convicted of a felony in the Commonwealth or in any area under the jurisdiction of the United States shall be eligible for this office unless a full pardon has been granted.

Section 3: Lieutenant Governor. A The lieutenant governor shall have the same qualifications as required for the office of governor and with-the-qualifications-prescribed in-section-2 shall perform those duties assigned by the governor or provided by law. Whenever the office of lieutenant governor is vacant, the governor shall appoint a successor with the advice and consent of the senate.

Section 4: Joint Election of the Governor and the Lieutenant Governor. The governor and lieutenant governor shall be elected at large within the Commonwealth at-a-regular

general-election-and-shall-take-office-as-provided-by-article VIII for a term of office of four years. The governor and lieutenant governor shall be elected jointly ~~for a term of four years~~ with each voter casting a single vote applicable to both offices. No person shall be elected governor more than three times.

Section 5: Compensation of the Governor and

~~Lieutenant Governor.~~ The governor shall and the lieutenant

governor shall each receive an annual salary of ~~twenty-five~~

~~thousand-dollars-and-the-lieutenant-governor-an-annual-salary-~~

of ~~twenty~~ ^{eighteen} thousand-dollars. --Both shall receive such and reasonable allowances for expenses as may be provided by law.

Upon the recommendation of the advisory commission on executive, legislative and judicial compensation ~~created~~ provided for

by article II, ~~of this Constitution,~~ section 11, the legislature

may increase or decrease the salary of the governor's or

lieutenant governor's ~~salary provided,~~ however, that neither

Neither salary shall be increased or diminished decreased

during a term of office. ~~the period for which the governor~~

~~or lieutenant-governor shall have been elected~~

Section 6: Prohibition on Other Government Employment.

The governor or lieutenant governor may not serve in ~~any other~~ another Commonwealth government position or receive any compensation for performance of his official duties or from any governmental body except as provided by section 5. The legislature

eliminate markings under words, use dollar figure

same text as previous

shall enact a code of conduct for the governor, lieutenant governor and heads of executive departments to require that includes a requirement of disclosure of financial or other personal interests and sufficient to prevent conflicts of interest in the performance of official duties.

Section 7: Succession to the Governorship. In case of the removal, death or resignation of the governor, the lieutenant governor shall become governor. If the offices of governor and lieutenant governor are both vacant, the president of the senate shall become acting governor. An acting governor who assumes office when more than one year remains in the term shall serve only until a governor is chosen in a special election as provided by law,

Section 8: Absence or Disability of the Governor.

a) When the governor is physically absent from the Commonwealth, the lieutenant governor shall be acting governor. If the lieutenant governor is also absent or is otherwise unavailable, the president of the senate shall be acting governor.

b) When the governor is unable to discharge the duties of his office by reason of ~~impeachment or other disability, including but not limited to~~ physical or mental disability, the lieutenant governor shall be acting governor. If the lieutenant governor is unavailable, ~~to serve the order of succession to the office of~~ president of the senate shall be acting

~~governor shall be the same as if the governor were physically absent from the Commonwealth.~~ If the person next in succession to the governor has reason to believe that the governor is unable to discharge the duties of his office, that person shall ~~inform~~ file a petition to declare a vacancy with the Commonwealth appeals court or the United States District Court if no Commonwealth appeals court has been created under article IV, section 3. of article IV. The court shall ~~have~~ has original and exclusive ~~and final~~ jurisdiction to determine all questions regarding the disability of the governor, and the existence of a vacancy in the office of governor, and ~~succession to the office or its powers and duties.~~

Section 9: Executive and Administrative Functions.

~~a) The governor shall be responsible for the faithful execution of the laws.~~

b) a) The governor shall ~~prepare and~~ submit to the legislature a proposed annual budget for the following fiscal year. The proposed budget shall describe ~~all~~ anticipated revenues of the Commonwealth and ~~shall include recommended legislation with respect to taxation if necessary.~~ ~~The budget~~ shall also recommend expenditures of Commonwealth funds. In preparing the proposed budget, the governor shall consider submissions made by the mayors of Saipan, Rota, Tinian and the Northern Islands as to the budgetary needs of those islands. The governor's submission to the legislature with respect to the budget shall state the governor's disposition of the budgetary requests of each a mayor, and shall include recommended legislation with respect to

and by the executive assistant ^{appointed pursuant to} ~~established by~~ section 18 of this article.

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taxation if necessary. ~~After approval~~ If a budget is approved by the legislature, the governor may not ~~reprogram~~ reallocate appropriated funds except as provided by law. If ~~the~~ a budget is not approved before the ~~start-of-that~~ first day of the fiscal year, ~~all~~ appropriations for government operations and obligations shall be ~~continued~~ at the level for the previous fiscal year.

e) b) The governor shall report at least annually to the legislature regarding the affairs of the Commonwealth and ~~recommending~~ new measures ~~he-consider~~ that are necessary or desirable.

d) c) The governor shall have the power to grant reprieves, commutations and pardons after conviction for ~~all~~ offenses after consultation with a board of parole to be created by law, provided, ~~however,-that~~ This power shall not apply to impeachments ~~or-to-removals~~ following ~~impeachments.~~

Section 10: Emergency Powers of-the-Governor. The governor ~~shall-have-the-power-to~~ may declare a state of emergency in the case of invasion, civil disturbance, natural disaster or other calamity and may mobilize ~~all~~ available resources to respond to that emergency.

Section 11: Attorney General. The governor shall appoint an attorney general with the advice and consent of the senate. The attorney general shall be responsible for providing legal advice to the governor and executive departments, representing the Commonwealth in all legal matters, and prosecuting violations of Commonwealth law.

Section 12: Public Auditor. The governor shall appoint a public auditor with the advice and consent of each house of the legislature. The public auditor shall audit the receipt, possession and disbursement of ~~all~~ public funds by the executive, legislative and judicial branches of the government, any instrumentality of the Commonwealth, or any agency of local government and shall perform other duties as provided by law. The public auditor shall report ~~his findings~~ to the legislature and the governor at least once every year and ~~such~~ this report shall ~~promptly~~ be made public promptly. The public auditor may be removed only for cause and with the concurrence of two-thirds of the members of each house of the legislature. In the event that there is a vacancy in the office of public auditor, the presiding officer of the senate shall appoint a temporary public auditor who shall serve until ~~the governor appoints a successor with the advice and consent of the legislature.~~ the vacancy is filled.

Section 13: Department of Education. The legislature shall establish a department of education which shall be headed by a superintendent of education appointed by a representative board of education. The governor shall appoint the members of the board of education ~~shall be appointed by the governor~~ for a term of four years with the advice and consent of the senate, and The board of education shall formulate policy and exercise control over the public school system through the superintendent. The composition of the board of education and other matters pertaining to its operations and duties shall be provided by law.

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Section 14: Heads of Executive Departments. Each principal department shall be under the supervision of the governor and, unless otherwise provided in this Constitution or by law, shall be headed by a single executive. The governor may shall appoint the heads of executive departments with the advice and consent of the senate. The governor may remove the heads of executive departments. The governor may at any time require information in writing or otherwise from the ~~officers~~ head of any administrative department, office or agency of the Commonwealth.

Section 15: Executive and-Administration Branch

Departments. All Executive and-administrative branch offices, agencies and instrumentalities of the Commonwealth government, and their respective functions, ~~powers~~ and duties shall be allocated by law among and within not more than fifteen principal departments so as to group them as so far as practicable according to major purposes. Regulatory, quasi-judicial and temporary agencies need not be ~~allocated within a part of a~~ principal department. ~~The legislature shall by law prescribe~~ The functions, powers and duties of the principal departments and of all other agencies of the Commonwealth and shall be as provided by law. ~~may~~ The legislature from time to time may reallocate offices, agencies and instrumentalities among the principal departments, and may change their functions, ~~powers~~ and duties. The governor may make such those changes

in the allocation of offices, agencies and instrumentalities and in the allocation of their functions, powers and duties as he ~~considers~~ are necessary for efficient administration. If ~~such~~ these changes affect existing law, they shall be set forth in executive orders which shall be submitted to the legislature and shall become effective sixty days after submission, unless specifically modified or disapproved by a majority of the members of each house of the legislature.

Section 16: Civil Service ~~Commission~~ The legislature

shall provide for a non-partisan and independent civil service commission to establish and administer the personnel policies applicable to positions in ~~the~~ the executive, ~~administrative~~ branch departments and agencies and in ~~the~~ the administrative staff of the legislative and judicial departments and ~~to the staff of the judicial branch of government~~ judicial branches except those that are filled by election or appointment appointed by the governor. Appointments and promotions within the civil service shall be based on merit and fitness demonstrated by examination or by other evidence of competence.

Section ~~16~~ 17: Public Services.

a) The governor may ~~delegate~~ to the mayor elected under the provisions of ~~section 2 of~~ article VI, section 2, responsibility for the execution of Commonwealth laws and the administration of public services in the island or islands in which the mayor has been elected provided, however, that services being provided on a decentralized basis in Rota and Tinian on the effective date of this Constitution shall continue to be provided on this basis

unless the governor personally certifies after public hearing on the island involved that such decentralization is inconsistent with the efficient and economical delivery of services.

No change

b) Public services on Rota, Tinian ^{and} ~~and the islands north of Saipan~~ shall be supervised by a resident department head in the departments providing such services appointed by the head of the executive branch department with the advice and consent of the majority of the representatives and senators in the legislature from the island where the resident department head shall perform his duties.

c) Public services ~~authorized by law~~ shall be provided on a ~~fair and~~ an equitable basis to all the citizens of the Commonwealth. The legislature may require that ~~such~~ these services be provided through decentralized administrative arrangements. The governor shall make any necessary recommendations to the legislature in order to accomplish these objectives.

Section 19-18: Executive Assistant for Carolinian Affairs.

a) The governor shall appoint an executive assistant for Carolinian affairs who is acceptable to the Carolinian community within the Commonwealth.

b) The executive assistant shall be a member of the governor's council created pursuant to article VI,

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These arrangements shall apply to the islands north of Saipan when the population of these islands exceeds one thousand persons.

section 5, and shall advise the governor on matters affecting persons of Carolinian descent within the Commonwealth.

c) The executive assistant shall review the application of government policies to and the availability and quality of government services for persons of Carolinian descent and may submit findings or recommendations on these matters to the governor.

d) The executive assistant may investigate complaints and conduct public hearings regarding matters affecting persons of Carolinian descent. The executive assistant may report findings or recommendations on these matters to the governor.

e) The executive assistant may recommend items for inclusion in the proposed annual budget, review the budget before its submission by the governor to the legislature, and recommend amendments to the budget relating to matters affecting persons of Carolinian descent.

f) The executive assistant may at any time require information in writing or otherwise with respect to matters affecting persons of Carolinian descent from the officers of any administrative department, office or agency of the Commonwealth.

Section 17 19: Impeachment of Executive Officials. The governor and lieutenant governor and other elected officials of the Commonwealth government shall be are subject to impeachment

as provided in article II, section 9 of this Constitution. Such
These officers may be impeached and removed only for treason,
commission of a felony, corruption or neglect of duty.