

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

PROPOSAL FOR TRANSITION II

C o n t e n t s

Letter of Transmittal

Proposal:

Part One	Transition Team to the Governor
Part Two	Pre-Legislative Conference
Part Three	Transition Team to the Legislature
Appendices	
to Part Two	Scope of Pre-Legislative Conference (Proposed Modules)
	Proposed Calendar for Pre- Legislative Conference
	Time Allotment
	Issues to be Resolved for Pre- Legislative Conference
	Proposed Division of Responsibilities for Pre-Legislative Conference

Preliminary Budget Estimates

# INSTITUTE OF PUBLIC ADMINISTRATION

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June 22, 1977

Mr. Pedro A. Tenorio  
Director  
Office of Transition Studies and Planning  
Northern Mariana Islands  
P. O. Box 42  
Saipan, Mariana Islands 96950

Dear Pete:

The capability of the Commonwealth government to start promptly and effectively when the constitution becomes effective is a matter of the highest priority. Multiple tasks must be performed by the new legislature and governor from the moment these officials are first elected. Following meetings last week with Ed Pangelinian, Howard Willens, and Jim Leonard, I became more convinced of the necessity of full professional support and expertise for the governor-elect and legislators-elect.

The present transition effort spearheaded by OTSP is a commendable base for energizing the new government. OTSP work products will identify key issues and facilitate creditable decision-making and actions. The quality of the decisions that will be made in these early months will determine the success or failure of the Commonwealth government for the next decade.

To sustain the creative forces that are underway, a second transition should be instituted as a logical continuation of present efforts. It should be established promptly as a matter of highest priority and given needed financial support. "Transition II" would facilitate critical governmental decision-making and action following the November election. It would emphasize the conduct of a pre-legislative conference, provision of a senior team of special expert consultants to the governor through the first six months of the new administration, and provision of a team serving the legislature for three months after it comes into office.

The transition team to the governor would be designed to aid the new chief executive as he confronts a monumental amount of work on appointments, budget submissions, institution of management systems,

the budget process, and implementation of physical, organizational, social and economic plans.

° The pre-legislative conference would help accomplish three essential tasks:

1. Agreeing, prior to the date the two houses first convene, on the organization, rules, staffing, operations and leadership of the bicameral legislature.
2. Agreeing to the form of organization and structure of the executive and judicial branches of the Commonwealth government.
3. Informing the members-elect on details and scope of social, economic and physical plans around which a series of significant legislative and budgetary decisions will be required.

° The special transition team to the legislature would be available during the first three months of calendar 1978 for drafting legislation and fulfilling consultative and other functions such as analysis and action on the budget and social and economic plans, thereby complementing staff resources.

Transition II as a total concept will involve persons presently employed by the government. Transfer of OTSP to the governor's executive office will assure continued availability of its key staff. The Transition II support team of outside experts would provide specialized technical support to the governor. The pre-legislative conference would be a major forum for assuring quality performance by the Commonwealth legislature and for reducing unnecessary elements of conflict. The legislative transition team would build capabilities of legislators and professional staff.

The costs of Transition II should be viewed as a vital and necessary investment in the future. Outlays should be made through reprogramming of available NMI funds, additional legislative appropriations, or a combination of fund sources.

A preliminary budget estimate for the proposed contractual services in the amount of \$205,000 is attached, covering the three parts of Transition II. It is by no means a firm set of figures but reflects an assessment of work to be accomplished and the range of senior professional services that are involved.

The Institute of Public Administration is prepared to assume the lead in organizing Transition II, providing senior experts and

Mr. Pedro A. Tenorio

-3-


June 22, 1977

special consultants and planning and conducting the pre-legislative conference. Details on structure and design of Transition II are attached for preliminary consideration. Arrangements should be decided upon that will best reflect the leadership role of OTSP and the needs of the executive and legislative branches.

We perceive Transition II as continuing and advancing the current transition effort. Continuity is an important objective.

I urge you to raise this matter with the Resident Commissioner and the Speaker of the Legislature as a priority item for discussion and action.

Sincerely,



Howard N. Mantel  
Director  
Government Programs

enclosures

PROPOSAL FOR TRANSITION II

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Transition II is a total concept of support for the new Commonwealth government of the Northern Mariana Islands as the Constitution becomes effective. This proposal involves those specialized assignments within Transition II that would be performed by outside experts, complementing and assisting professional staff of the Office of Transition Studies and Planning and officials and employees of the present government and the incoming Commonwealth government. The budget estimates are for the contractual services and are distinct from current OTSP contractual arrangements.

Transition II would be comprised of three parts, all related to the prime goal of facilitating the new Commonwealth government.

Part One is the Transition Team to the Governor

Part Two is the Pre-Legislative Conference

Part Three is the Transition Team to the Legislature

The Institute of Public Administration is prepared to serve as the lead contracting organization for Transition II.

PART ONE

ASSISTANCE TO THE NEW GOVERNOR

Part One of Transition II would provide expert assistance and consultation to the new governor-elect designed to assure timely and well-conceived actions as he plans the new administration. This involves development of strategies and policies respecting the following:

1. Appointments to key positions.
2. Structure of the executive branch.
3. Reprogramming funds for the balance of fiscal year 1978; programming local revenues.
4. Unified budget for fiscal year 1979.
5. Social, economic and physical plans.
6. Planning-budgeting-developmental activities.
7. Management and training systems to secure effective service delivery and production by the departments and agencies of the government.
8. Proposals to the legislature for substantive legislation in a variety of areas.
9. Financing and programs for economic development, development bank, and other economic stimulators.
10. Utility services including electric power, water, sewerage; transportation facilities and services; and other public works improvements, including assignment of office space.

11. Federal grants applications, including matching fund requirements; and coordination with Region IX officials.

12. Action programs to assure full provision of governmental services and support for Rota, Tinian and the islands north of Saipan.

13. Internal communications system within the executive office of the governor.

Transition team experts would encompass management, organization, legislation, social, economic and fiscal affairs, and land-use development. Specialists would be utilized to complement OTSP professionals, NMI government employees, and gubernatorial appointees.

The transition team may be asked to provide selected assistance to the lieutenant governor and the assistant for Carolinian affairs. participate in the organization of the executive office of the governor, help develop good executive-legislative relations, and participate in final negotiations with the Trust Territory government, particularly with respect to special federal funds still administered for the Northern Mariana Islands.

PART TWO \*

PRE-LEGISLATIVE CONFERENCE

Part Two of Transition II comprises a pre-legislative conference of the senators-elect and representatives-elect of the Commonwealth legislature. For the new legislature to proceed promptly with its agenda and have a solid comprehension of the issues that will come before it, the two-month period between election day and inauguration day should be used to maximum advantage.

The pre-legislative conference has these essential tasks:

1. Securing agreement on the organization, rules, staffing, operations, and leadership of the legislature.
2. Securing agreement on the form and structure of the executive and judicial branches of the Commonwealth government.
3. Briefing the senators-elect and representatives-elect on the job of the legislature respecting development plans, government organizational issues, capital improvements, land-use policy, economic, social, budget and finance issues.

The conference also would provide opportunity for briefing legislators-elect on techniques of legislative performance, ethics, service of constituent and community needs and efficient conduct of business.



The Office of Transition Studies and Planning should play a leading role with the present legislature in coordinating the pre-legislative conference. Designing the program of the pre-legislative conference and setting of its agenda should be done in cooperation with legislative leaders, resident commissioner and NMI officials.

The pre-legislative conference must be a well organized, professionally managed activity. Planning for it should be underway immediately; it should not be hastily convened late in October.

The Institute of Public Administration is prepared to serve as the principal consultant in developing the agenda and schedules of presentations, arranging for the outside participants, drafting schedule details, preparing necessary background materials, and assuring consonance of effort. Participation by other OTSP consultant firms is indispensable so that the legislators-elect will have the full benefit of their work in the final recommended form to achieve consensus on the decisions that must be made on the plans. Participants may include federal agency officials, state legislative experts, and program specialists in selected areas.

PART THREE

TRANSITION TEAM TO LEGISLATURE

Part Three of Transition II provides expert services to the Commonwealth legislature during the early months of its operation. The successful accomplishment of the goals and objectives of the pre-legislative conference should facilitate the work of the Senate and House of Representatives directly after Inauguration Day in January 1978. The amount of legislation and other actions to be taken by the legislature should not be underestimated. Initial priority tasks that must be accomplished include the following:

1. Formal adoption of the rules of the House and Senate.
2. Election of the officers of the House and Senate.
3. Appointment of professional and administrative staff.
4. Enactment of legislation establishing the executive branch, independent agencies, special boards and commissions, and the Commonwealth trial court.
5. Confirmation of gubernatorial appointments.
6. Action on any fiscal year 1978 budget revisions proposed by the governor.
7. Legislative review of continuing appropriations of the previous legislature.
8. Adoption of table of contents for a Commonwealth code of laws, and selected substantive legislation.

9. Legislation in the following areas:

- 9.1 Code of conduct
- 9.2 Land use, housing, homesteads, and urban renewal
- 9.3 Social, economic and physical development plans
- 9.4 Budget, appropriation and reprogramming of funds
- 9.5 Federal grant procedures
- 9.6 Administrative procedures act
- 9.7 Uniform budget act
- 9.8 Public corporations control act
- 9.9 Contractual procedures act
- 9.10 Local laws

10. Development bank and development corporation enabling legislation; public utilities, transportation authorities and related matters.

11. Fiscal Year 1979 budget.

It is proposed that Part Three of Transition II take the form of senior professional and technical expert assistance to the legislature in the initial months of 1978. This will enable the legislature to move with dispatch on the tasks before it as staff resources are developed. As in the case of the transition team to the governor, the transition team to the legislature would be designed to complement other legislative staff resources.

Longer term specialized work may be required, involving contractual hire or use of special consulting firms. This involves principally substantive revision of Trust Territory and Northern Mariana Islands Code provisions of law for reenactment as part of the Commonwealth code of laws. Most of this type of legislative drafting and revision is not contemplated as part of Transition II activities, though priority action may be required in certain areas of taxation, immigration policy, and the like.

Appendices to Part Two

SCOPE OF PRE-LEGISLATIVE CONFERENCE  
PROPOSED MODULES

1. Organization of the Legislature

- 1.1 Committees of the Senate
- 1.2 Committees of the House of Representatives
- 1.3 Committees of the senatorial district delegations
- 1.4 Joint legislative committees
  - 1.4.1 Administration of the legislature
  - 1.4.2 Reconcile differences on legislation between the two houses
- 1.5 Legislation affecting a senatorial district
- 1.6 Staff
  - 1.6.1 Professional
  - 1.6.2 Administrative and support
- 1.7 Budget for the legislature
- 1.8 Officers of the legislature
  - 1.8.1 Presiding officers
  - 1.8.2 Floor leaders
  - 1.8.3 Committee chairmen
  - 1.8.4 Officials (staff)

2. Rules for Legislative Procedures and Operations

- 2.1 Introduction and distribution of bills, revenue and appropriation bills, and local bills
- 2.2 Legislation affecting a single senatorial district
- 2.3 Procedures in the substantive committees
- 2.4 Procedures in the senatorial district delegation committees
- 2.5 Procedures relevant to reconciling differences between the two houses
- 2.6 Procedures on the floor; debate
- 2.7 Procedures with respect to gubernatorial vetoes and their override
- 2.8 The role of individual legislators
  - 2.8.1 Codes of conduct
  - 2.8.2 Constituent relations
- 2.9 "Sunshine" and "sunset" laws
- 2.10 Procedures with respect to nominations submitted by the governor for advice and consent
- 2.11 Drafting and research services of the staff

3. Structure of the Commonwealth Government

- 3.1 Structure of the legislative branch (see 1 above)
- 3.2 Structure of the Commonwealth trial court
  - 3.2.1 Statutory divisions of the court
  - 3.2.2 Number and qualification of judges

NOTE: This outline is a checklist from which topics for the conference may be selected.

- 3.2.3 Administration of court system
- 3.2.4 Rules of the court
- 3.2.5 Admission to the bar; judicial ethics
- 3.3 Executive office of the governor
  - 3.3.1 Executive office functions
  - 3.3.2 Governor's cabinet
  - 3.3.3 Governor's council
  - 3.3.4 Budget-planning-development
  - 3.3.5 Chief administrative officer
  - 3.3.6 Office of the lieutenant governor
- 3.4 Office of the attorney general
- 3.5 Civil service commission—personnel office
- 3.6 Line departments and agencies
  - 3.6.1 Financial administration
  - 3.6.2 Emergency services
  - 3.6.3 Economic development
  - 3.6.4 Natural resources
  - 3.6.5 Education
  - 3.6.6 Health
  - 3.6.7 Public works
  - 3.6.8 Community affairs
- 3.7 Special boards and commissions
- 3.8 Independent agencies
- 3.9 Marianas Public Land Commission
- 3.10 Personnel management system
- 3.11 Financial control systems
- 3.12 Federal grants
- 3.13 Government agencies on Rota, Tinian, and northern islands

#### 4. Government Programs

- 4.1 Education
  - 4.1.1 Priorities
  - 4.1.2 Elementary and secondary education
  - 4.1.3 Higher education
  - 4.1.4 Libraries, museums, and related services
  - 4.1.5 Vocational, adult and special education
- 4.2 Health program
  - 4.2.1 Preventative public health
  - 4.2.2 Clinical programs
  - 4.2.3 In-patient care
  - 4.2.4 Out-patient care
  - 4.2.5 Environmental and sanitary health
  - 4.2.6 Possibility of health maintenance organizations
  - 4.2.7 Health planning
  - 4.2.8 Hospital facilities and construction

- 4.3 Public utilities, transportation, and related functions
  - 4.3.1 Requirements for public power
  - 4.3.2 Water and sewerage services
  - 4.3.3 Port, marine and air transport services
  - 4.3.4 Financing capital improvements
  - 4.3.5 Pricing utilities services
- 4.4 Community and social services
  - 4.4.1 Welfare-related services and problems
  - 4.4.2 Juvenile program (see also 4.8)
  - 4.4.3 Program for the aged and handicapped
  - 4.4.4 Housing; urban development
  - 4.4.5 Local business regulation
  - 4.4.6 Consumer protection
- 4.5 Land and resources
  - 4.5.1 Land use and zoning for built-up areas
  - 4.5.2 Land-use planning for public lands
  - 4.5.3 Division of responsibility for maintenance of public lands
  - 4.5.4 Submerged lands and marine resource programs
  - 4.5.5 Wildlife and related, conservation, fishing, and agricultural programs
- 4.6 Public and emergency services; corrections and rehabilitation
  - 4.6.1 Upgrading police services
  - 4.6.2 Fire services
  - 4.6.3 Improvement of corrections and rehabilitation services
- 4.7 Public works and maintenance
  - 4.7.1 Public facilities
  - 4.7.2 Parks
  - 4.7.3 Roads construction and maintenance
  - 4.7.4 Sanitation
  - 4.7.5 Vehicle repair
- 4.8 Court (judicial services)
  - 4.8.1 Land disputes
  - 4.8.2 Civil disputes (including small claims)
  - 4.8.3 Criminal (including juvenile and traffic matters)
  - 4.8.4 Services on Rota and Tinian
- 5. Capital Improvements and Process
  - 5.1 Public works on Saipan
  - 5.2 Public works on Rota and Tinian
  - 5.3 Public works on the northern islands
  - 5.4 Cost estimates and timing of capital improvements
  - 5.5 Capital improvements planning process

6. Economy of the Commonwealth
  - 6.1 Tourism
  - 6.2 Private economic growth other than tourism
  - 6.3 Government activities to sustain the economy
  - 6.4 Economic loan program
  - 6.5 Agriculture and fishing developmental activities
  - 6.6 Foreign labor
7. Intergovernmental Relations
  - 7.1 Relations with the Trust Territory government
  - 7.2 Relations with other governments (Guam, etc.)
  - 7.3 Federal relations
    - 7.3.1 Relations with U.S. government (Washington representative)
    - 7.3.2 Relations with federal regional offices in San Francisco  
(Region IX)
  - 7.4 Cooperative programs
8. Governmental Finances
  - 8.1 Anticipated and projected revenue sources
  - 8.2 Territorial income tax
  - 8.3 Other local taxes
  - 8.4 Transfer of municipal taxes
  - 8.5 Federal financial assistance
  - 8.6 Budget processes and controls
  - 8.7 Appropriations process (see also 1.5.2 above)
  - 8.8 Accounting and auditing systems



Proposed Calendar for Pre-Legislative Conference

FIRST SESSION

Monday, November 14, 1977 through Wednesday, November 23, 1977

(Ten consecutive days)

INTERIM PERIOD (No formal sessions)

Thursday, November 24, 1977 (Thanksgiving Day) through Thursday,  
December 1, 1977

SECOND SESSION

Friday, December 2, 1977 through Saturday, December 10, 1977

(Nine consecutive days)

SPECIAL OPEN FORUM AND RECEPTION

Sunday, December 11, 1977

Time Allotment

<u>Modules</u>	<u>Man Hours</u>
1. Organization and Rules of the Legislature	30
2. Legislative Procedures and Operations	10
3. Structure of the Government of the Commonwealth	20
4. Government Programs	15
5. Capital Improvements and Process	10
6. Economy of the Commonwealth	10
7. Intergovernmental Relations	10
8. Governmental Finances	15

Issues To Be Resolved for Pre-Legislative Conference

1. Scope of Program and Program Modules
2. Sequence of Module Presentations
3. Time and Calendar
4. Methods of Presentations
5. Lead Agency Presentors
6. Discussants and Specialists
7. Space (meeting and conference rooms)
8. Logistics
9. Costs

Proposed Division of Responsibilities for Pre-Legislative Conference

- |  |   |
|--|---|
| 1. General Direction and Arrangements  | Office of Transition Studies and Planning |
| 2. Preparation for Pre-Legislative Conference: Planning, Arrangements for Speakers, and Scheduling | Institute of Public Administration        |
| 3. Legislative Authorization for Pre-Legislative Conference  | Northern Mariana Islands Legislature      |
| 4. Modules on Economic and Social Issues   | Robert R. Nathan Associates               |
| 5. Modules on Physical Planning and Land Use   | Pacific Planning and Design Consultants   |
| 6. Modules on Government Organization and Management   | Institute of Public Administration        |
| 7. Modules on Legislative Organization and Rules   | Institute of Public Administration        |
| 8. Modules on Fiscal Policy  | Robert R. Nathan Associates               |

PRELIMINARY BUDGET ESTIMATES

TRANSITION II

PART ONE: Transition Team to Governor	<u>Days</u>	<u>Rate</u>	
Senior specialists in organization, management, economic development, budgeting and planning	140	\$ 350	\$ 49,000
Additional specialists and consultants	120	250	30,000
Typing			4,000
Transportation	6 trips	1,500	9,000
Per diem expenses	260	34	8,840
Additional out-of-pocket expenses (postage, cables, telephone, equipment, etc.)			<u>1,700</u>
TOTAL, Part One			\$102,540

PART TWO: Pre-Legislative Conference

Senior specialists, conference, planning, organization, presentation and related	65	350	22,750
Special consultants and specialists	35	250	8,750
Typing			1,500
Transportation	6 trips	1,500	9,000
Per diem expenses	100	34	3,400
Additional out-of-pocket costs for meetings, special equipment, etc.			4,000
Special preparation of pre-legislative conference materials			<u>6,000</u>
TOTAL, Part Two			\$ 55,400

(Preliminary Budget Estimates)

Page 2

	<u>Days</u>	<u>Rate</u>	
PART THREE: Transition Team to Legislature			
Senior specialists in law, legal procedure, specialized program areas	60	\$ 350	\$ 21,000
Additional specialists	60	250	15,000
Transportation	4 trips	1,500	6,000
Per diem expenses	110	34	3,740
Additional out-of-pocket expenses			<u>1,500</u>
	TOTAL, Part Three		\$ 47,240

TOTAL ESTIMATED COSTS

Part One		\$102,540
Part Two		55,400
Part Three		<u>47,240</u>
	TOTAL	<u>\$205,180</u>

NOTE: Overhead rates are included in direct labor