

Footnotes to Table I on sources

- 1/ TRUST TERRITORY CODE tit. 63 (public health, safety and welfare) [hereinafter cited as TTC].
- 2/ TTC tit. 41 (education).
- 3/ TTC tit. 63.
- 4/ TTC tit. 63; MARIANA ISLANDS DIST. CODE tit. 10, ch. 10.08 (public assistance to invalids, elderly persons and widows) [hereinafter cited as MIDC].
- 5/ TTC tit. 69 (public officers and agencies).
- 6/ TTC tit. 12 (criminal procedure).
- 7/ TTC tit. 11, ch. 59 (punishments).
- 8/ TTC tit. 5 (judiciary).
- 9/ There is no statute or regulation with respect to fire protection.
- 10/ TTC tit. 81 (utilities and water) (reserved). There is no current statute dealing with electricity or other utilities, but a title has been reserved for these matters should the legislature deal with them in the future. This reservation may indicate an intent to control these matters at the district level if services are offered by the government.
- 11/ There is no statute or regulation with respect to water supplies.
- 12/ TTC tit. 63, ch. 5 (sanitation).
- 13/ TTC tit. 37 (corporations, partnerships and associations).
- 14/ TTC tit. 77, ch. 1 (business license fees); MIDC tit. 7, ch. 7.04 (wholesale business licenses).
- 15/ There is no current minimum wage law in the Trust Territory. MIDC tit. 4, ch. 4.04 (maximum hour law).
- 16/ MIDC tit. 3, chs. 3.24 (Marianas Tourist Commission), 3.36 (Board of Tourist and Travel Industry).
- 17/ TTC tit. 51 (land planning).
- 18/ TTC tit. 63, ch. 13 (air, land and water pollution).
- 19/ TTC tit. 45 (fish, shellfish and game); SAIPAN MUNICIPAL CODE tit. 3, ch. 7 (conservation).
- 19A/ TTC tit. 2, ch. 2, § 22(g) (Department of Resources and Development, Division of Agriculture).
- 20/ D. Grant & H. Nixon, STATE AND LOCAL GOVERNMENT IN AMERICA pp. 403-06 (1968) [hereinafter cited as STATE AND LOCAL GOVERNMENT].

21/ 68 AM JUR. 2d Schools §§ 14, 15 (1973).

22/ Hawaii's approach to the health, education and welfare functions stands in sharp contrast to that of most states and is worth special attention. Education, public health and social services are state responsibilities in Hawaii. HAWAII REV. STAT. tit. 4, ch. 27, § 27-1 (education, health); HAWAII REV. STAT. tit. 20 (welfare). This arrangement is particularly noteworthy in light of the similarities between Hawaii and the Marianas. Both are composed of islands; both have a heavy imbalance of population, with one island having approximately four times the population of all the others combined.

The rationale for Hawaii's approach is stated in the Legislative Reference Bureau's paper on the education article in the Hawaii constitution. This paper justifies its totally centralized educational system on the grounds of (1) the rapid growth and increasing complexity of education -- such trends make education an almost impossible task for local units of government to provide for, particularly in the area of financing, and (2) the necessity for equitable provision of education in all communities, particularly in terms of facilities and personnel, in order to achieve the development of all of the individual's abilities and talents. Legislative Reference Bureau, HAWAII CONSTITUTIONAL CONVENTION STUDIES, ARTICLE IX: EDUCATION (PUBLIC EDUCATION) p. 22 (1968). The same arguments, presumably, would be offered in favor of Hawaii's treatment of welfare and public health.

23/ STATE AND LOCAL GOVERNMENT pp. 407-409.

24/ Id. p. 361.

25/ Id. pp. 360-61.

26/ President's Commission on Law Enforcement and Criminal Justice. THE CHALLENGE OF CRIME IN A FREE SOCIETY p. 178 (1967) (local jails house mainly minor offenders).

27/ STATE AND LOCAL GOVERNMENT pp. 275-283.

28/ Id. p. 327.

29/ Id. pp. 327-28.

30/ Id.

31/ Id.

- 32/ 18 AM. JUR. 2d Corporations §§ 25, 30 (1965).
33/ 51 AM. JUR. 2d Licenses & Permits § 88 (1970).
34/ STATE AND LOCAL GOVERNMENT pp. 378-79.
35/ Id. p. 369
36/ Id. p. 394.
37/ Id. pp. 391-94.
38/ Id.
39/ Id. pp. 380-81.