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CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

FIRST DAY  
Monday, October 18, 1976

In accordance with Marianas Law No. 4-205 the Constitutional Convention of the Northern Mariana Islands was begun with formal ceremonies at 9:15 a.m.

Acting President was Erwin D. Canham, Resident Commissioner of the Northern Mariana Islands.

Acting President Canham: The first session of the Northern Marianas Constitutional Convention will be in order. Please let me say that it is indeed a great privilege and honor to welcome each and everyone of you.

First, to invoke divine blessing on this solemn occasion, I invite the Reverend Monsignor Tomas A. Camacho to lead us in prayer. Will you all please rise.

Monsignor Camacho: In the name of the Father, the Son, and of the Holy Spirit. Let us pray.

God of Abraham, God of Isaac, God of the Forefathers of the American people, as we begin another chapter of this historic and momentous occasion of our future destiny, we beg You to come and to enlighten these duly elected members of the Constitutional Convention of the Northern Mariana Islands. Help them to be people that are always mindful of Your grace and glad to do Your will. Bless with wisdom and nobility of spirit these ladies and gentlemen so that the decisions they make will not reflect selfishness, but for the benefit of all future Americans living on this far-flung of the future frontier. Bless this august body with proper guidance as they confront the problems of making a wise and practical constitution. Help them to remember the spirit of courtesy and graciousness in dealing with the people of the Mariana Islands and their neighboring islands. Grant that the product of this Constitutional Convention be a symbol of freedom and justice for the rest of the Pacific Islands. Keep ever before us on this Bi-Centennial Year of the United States the vision of the land of the free, the home of the brave, and the nation whose God is the Lord. We ask this through our Lord Jesus Christ, your Son, who lives and reigns with You and the Holy Spirit, one God, for ever and ever. Amen.

Acting President Canham: It is indeed a very great privilege to be able to welcome the Elected Delegates to this Convention. Let me congratulate you because you have been called upon to perform the most important function in the history of these beautiful islands and their eager people. Your job is defined in the briefing papers prepared for this Convention in the following terms:

"The essential task of the Constitutional Convention is, which I quote: "to shape the basic institutions of government of the new Commonwealth." This undertaking requires first that the Delegates identify the political values that their people cherish and the goals they hope to achieve. Next they must fashion the political institutions that reflect these values and provide the machinery to pursue their goals. And, finally, they must write a Constitution to give legal effect to the system they have created and to provide a symbol of unity for all the people of the Commonwealth."

This is a massive task. You do not have much time in which to accomplish such great purpose. But I have full confidence in the capacity of this representative body. You were elected by a large turn-out of voters who coped with an unavoidably complex ballot with considerable discrimination. You are served by an able staff of advisers and provided with expert and scholarly analyses of your problems.

Yet all the decisions are yours and you will be accountable for them up to the stage of ratification by the people of the Northern Marianas and up to final approval by the Government of the United States. You will have very difficult decisions to reach, some of them calling for the wisdom of Solomon and Thomas Jefferson combined. Will your Constitution be broad and general or specific and restrictive? How will you divide power between the executive, the legislative, and the judicial branches?

What kind of provisions will you make for the special conditions and unique traditions of these islands?

You have one great advantage. The Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States already defines many constitutional elements and relationships. It is a solemn act of self-determination, carefully negotiated, ratified by an overwhelming majority of your people and also by the Congress and President of the United States. The Covenant is a guide and a commitment for your labors.

But your task still remains immense, and I am sure you realize there is no time for petty disputes over issues that are not really constitutional issues at all, nor for indulgence in oratory for its own sake while the 50-day clock continues to tick relentlessly on.

My respect for this body's capacity for good judgment and for self-restraint is great. When you have finished your labors, I am sure the people of the Northern Marianas will have added respect for yourselves and for the historic decisions you make with objectivity and wisdom.

Needless to say, the administration government of the Northern Marianas stands ready to assist you in any way we can, as we are obligated to do. We are also indebted to our very good neighbor and our long-time parent, the Trust Territory Government. We live in close cooperation with that Government. If as a kind of eldest son, or oldest child, we have left the family roof, it does not mean that our respect and affection for the old homestead is diminished. Indeed, no less than eleven of you are officials of the Trust Territory Government and as a member of the Joint Commission on Transition, I must express to the Acting High Commissioner and his Deputy our great appreciation for their willingness -- let me put it bluntly -- to put you on administrative leave. It is a most generous aid to a tight budget.

A great deal could be added in recognition of this wonderful moment that has come. You must feel as I do, profoundly moved. This is a long-awaited hour. It is solemn; it is full of challenge and difficulty, and yet, it is full of the brightest of hope. Thank you.

Now, May I call upon a distinguished speaker, the Honorable Vicente N. Santos, Speaker of the Northern Marianas Legislature.

Speaker Santos: Thank you very much. Delegates to the Northern Mariana Islands Constitutional Convention. To all superficial appearances today, October 18, 1976, might be just another prosaic Monday, indistinguishable from a long list of prosaic Mondays past; but appearances would be wrong, very wrong. Today, Monday, October 18, 1976, is a very special day, a benchmark day, an historic day.

Today marks an ending and a beginning for our people. It heralds the end of a long subserviency to many masters and the beginning of our journey into destiny under our own helmsmanship.

The people of the Northern Marianas have spoken. They have selected you to act for them at their constitutional convention; in effect charging you with the awesome responsibility of charting a meaningful course into the harbor of constitutional government.

On the one hand, the great honor bestowed upon you is both signal and historic; on the other, it imposes responsibilities of monumental proportions. The "work" in the sense of an opus which you are called upon to mold within the coming days is nothing less than a commitment to a future way of life, not only for this generation, but for our posterity. We do not delude ourselves that the task will be easy; it will demand application of historic perspective, vision, and a keen sense of selectivity to achieve a work which must be nothing short of an eclectic masterpiece.

In exercising their franchise the people of the Northern Mariana Islands have expressed confidence in this honorable Delegation; they have said that you possess the necessary qualifications and that you shall lead the way.

For myself, I am in full accord with the wisdom of the people. I have full confidence that you will acquit yourselves well; that we shall all have just cause to acclaim your efforts. I hope, however, that at this point a few well intentioned cautions will not be thought presumptuous.

Remember that the edifice that you have been commissioned to erect must be able to withstand the stresses of time.

Remember that meaningful content must take precedence over fine rhetoric if your endeavor is to endure intact.

Remember that while brevity may be the soul of wit, it is not necessarily the hallmark of an acceptable law of the land.

Our Constitution must be as comprehensive and detailed as the times, the state of development of our people, our culture and our place among the nations of the world demand. Where to draw the line is no easy task. I do not pretend to know, but with the aid of the excellent briefing papers provided by your advisors and their daily counseling coupled with your own innate sense of what is fitting and needful, I do not doubt the outcome.

What is fundamental and critical, it is your function to discern and implement.

May God grant you vision, the greatness of soul to rise above partisanship, objectivity and an appreciation of the historical significance of the great endeavor upon which you embark today.

We wish you well; we await your accomplishment. Thank you.

Acting President Canham: My next responsibility is to call the roll of the Delegates. I think just to be original, I will begin with the smallest Delegation first. Each please respond in turn.

(Acting President Canham called the roll alphabetically, by Delegation.)

Acting President Canham: The entire Delegation, without exception is present.

My next duty is to ask the Delegation to rise for the purpose of the Oath of Office. It will be taken together and I will ask you to repeat en masse:

"I do solemnly swear that I will faithfully execute the office of Delegate to the Northern Marianas Constitutional Convention and will, to the best of my ability, support the Constitution of the United States and the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, so help me God."

Acting President Canham: The next task, the last one which I am required to perform, is the election of your president.

Delegate Francisco T. Palacios: I move that Lorenzo I. Guerrero be elected President of the Convention.

The motion was seconded.

Delegate Vicente T. Attag: I move that nominations close.

The motion was seconded to close nominations.

The motion carried by voice vote to close nominations.

Motion to elect Lorenzo I. Guerrero as President of the Convention carried unanimously by voice vote.

Resident Commissioner Canham: With the greatest pleasure I invite President Guerrero to the Chair.

President Guerrero: First of all I would like to extend my appreciation to the Delegates of this Convention for giving me their confidence to be elected as your President of this Convention. I thank you, everyone of you. Before I proceed with the agenda, I would like to make a short remark: Fellow Delegates to this Convention, Distinguished Guests, Ladies and Gentlemen:

The glorious days have come for us, the Delegates to this Convention, to carry out the mandate of our people, and commence the task of drafting a constitution which is truly representative of our people's wishes and aspirations, and within the guidelines set forth under the Covenant on the establishment of the Commonwealth of the Northern Mariana.

Framing a constitution is not an easy task. Each and every Delegate has his or her own ideas and beliefs on what would best suit the requirements under our new government, and which governmental setup would be the most suitable for adoption. It is in the consolidation of our individual ideas that we could really form a constitution that would apply to the present generation, and the future.

While time is of the essence in this given task, our approach on sensitive and delicate matters must always be with caution and extreme care. The matter of citizenship and naturalization, for instance, must be given the strictest degree of concern. Let us learn from the mistakes of other nations, and have the lessons of the past guide us in securing a brighter future. Let us provide an assurance that our people will continue to be the majority in our island nation. We must similarly provide due protection to our people's rights and strengthen the safeguards to the privileges they now enjoy as part of the democratic way of life.

To achieve success, we must first attain unity and harmony, and maintain a close working coordination among all the Delegates. I am confident that we will succeed in our common goal of having a constitution which embodies our people's ideals and aspirations, and that this Constitutional Convention will go down as one of the most significant events in the history of our nation. Thank you Si Yuus Maase!

President Guerrero: Before we go on to the next item in our agenda, which is adoption of Rules of Procedure, I recognize Delegate Benigno R. Fitial.

Delegate Benigno R. Fitial: I move we postpone items eight (8) and nine (9) of the agenda and move on to other business.

The motion was seconded.

President Guerrero: Delegate Jose R. Cruz.

Delegate Jose R. Cruz: I move we have a 10 minute recess.

The motion was seconded.

President Guerrero: The Chair recognized that we should dispose of the motion for recess first.

(A voice vote was taken and was not conclusive.)

Delegate Jose R. Cruz: I would like to request a roll call vote.

The roll was called and the Delegates voted as follows:

AFFIRMATIVE: Delegates Felix A. Ayuyu, Jose S. Borja, Olympio T. Borja, Antonio M. Camacho, Carlos S. Camacho, Magdalena C. Camacho, Juan DLG Demapan, Herman Q. Guerrero, David Q. Maratita, Jesus G. Villagomez, Ramon G. Villagomez, Jose R. Cruz, Daniel P. Castro.

NEGATIVE: Delegates Felipe Q. Atalig, Vicente T. Attao, Luis A. Benavente, Juan S. Demapan, Benigno R. Fitial, Pedro L. Igitol, Luis A. Limes, Jose P. Mafnas, Francisco T. Palacios, Oscar C. Rana, Manuel A. Tenorio, Joaquin S. Torres, David M. Atalig, Pedro M. Atalig, Gregorio S. Calvo, Pedro Q. Dela Cruz, Benjamin T. Manglona, Prudencio T. Manglona, Pedro M. Ogo, Leon I. Taisacan, Hilario F. Diaz, Henry U. Hofschneider, Esteven M. King.

ABSTENTIONS: Vicente M. Mangiona, Juan P. Tenorio.

President Guerrero: The vote is 23 affirmative, 13 negative and 2 abstentions. The motion for recess is defeated.

I would now like to entertain the motion to postpone Items 8 and 9 on the agenda until later on today.

(A voice vote was taken and the motion was passed to postpone items 8 and 9 until later that day.)

The next item on our agenda is item 10, the Organization of the Convention, and at this time, I would like to call on Pedro A. Tenorio, Director of Transition Studies and Planning to give us the organization of this Convention.

Director Pedro A. Tenorio: Thank you Mr. President. On behalf of my staff in the Office of Transition Studies and Planning, I would like to congratulate all of you Delegates on your election to serve in this very important body.

In accordance with provisions of the Marianas Law No. 4-205, establishing the Marianas Constitutional Convention, and in particular Section 11, dealing with financial and staff support from the Office of Transition Studies and Planning, I would like first to report to you that my office and staff are prepared to assist the Convention Delegates in every way possible to insure that administrative problems do not interfere with your basic role and responsibilities as Delegates.

In order to properly coordinate the activities of the Convention and to streamline support services to you, there is within my office an administrative organization created specifically to meet the needs of the Convention. Such organization consists of personnel who are assigned general and specific functions to perform the necessary services and to support you.

In the area of financial support, the Office of Transition Studies and Planning will be responsible for the payments of salaries and per diems of the Delegates, including all other expenses related to the Convention. In addition to the United States funds made available for the holding of the Constitutional Convention, the Northern Marianas Legislature has also made available \$30,000.00 to defray expenses of the Convention.

I wish to acknowledge, as the Resident Commissioner has already done, the generosity of the Trust Territory Government, specifically the Acting High Commissioner and the Executive Officer, in granting administrative leave to those Delegates who are employed by the Trust Territory Government. This represents a savings of approximately \$20,000.00 to the Convention.

I also wish to acknowledge the support and cooperation of the Resident Commissioner, Mr. Canham, and his staff, for their assistance and support in the planning of this event. In addition, Mr. Canham's willingness to assign to the Convention several key members of his staff is greatly appreciated.

Lastly, I also wish to acknowledge the cooperation of the Speaker of the Northern Mariana Islands Legislature, Mr. Santos, in providing equipment, clerical and logistical support to the Convention. At this time, I would like to introduce the key employees of the Convention and the Office of Transition who will be performing the administrative and general support services to the Delegates.

Mr. Pedro M. Atalig, who is a Delegate will act as the principal in charge of the overall administrative functions of the Convention. He will be assisted by Mr. John Boyer, the Administrative Officer.

Per diem and salary checks of Delegates will be disbursed by Mr. Boyer. The person in-charge of recording and public information activities is Mr. Rudy Sablan. He will be assisted by Mr. Herbert Rosario.

Mrs. Stacy Pounds will be the principal Journal Clerk and will be assisted by Mrs. Emy Sablan and Mrs. Linda Layne. A typing and secretarial pool will be set up for the use of the Delegates and for the reproduction of journals. It will be under the supervision of Mrs. Connie Togawa. Our printing room supervisor is Mr. Ben Kapileo, and the Librarians for the Convention are Mrs. Rita Camacho and Chris Ramirez. The Sergeant at Arms is Mr. Jose Ada from the Marianas Department of Public Safety.

A map of the location of delegations, consultants and staff offices is provided this morning to acquaint you with the layout of the Convention facilities.

The Law Firm of Wilmer, Cutler & Pickering of Washington, D. C. was retained by the Office of Transition Studies and Planning to prepare briefing papers for the Delegates, to advise regarding the organization and procedures of the Convention, and to provide other professional services during the Convention. The law firm will work under the general supervision of the President and Officers of the Convention. The firm will be available to prepare legal memoranda regarding issues before the Convention, to assist the committees in their work, to draft constitutional provisions reflecting the decisions of the Convention, and to perform such other assignments as seem appropriate. The work of the law firm and other professional consultants is under the supervision of Mr. Howard Willens. I will ask Mr. Willens to introduce the members of his team. Mr. Willens.

Consultant, Mr. Howard Willens: Thank you, Mr. Tenorio. Mr. President, Resident Commissioner, Delegates to the Convention and Honored Guests. It is an honor to be here on behalf of my law firm to assist this Convention in its important assignment. I have had the good fortune during the past four years to work closely and get to know many of you. I hope during the near future, I will have the opportunity to get to know all of you.

I would like to introduce two of my senior colleagues who will be helping this Convention. First, I would like to introduce my partner, Deanne C. Siemer. Ms. Siemer received her training at George Washington University and the University of Hawaii. She took her legal education at the Harvard Law School and has practiced law in Washington during the past eight years. She has had a distinguished career with the United States Budget Bureau as well as with our law firm.

Second, I would like to introduce Howard N. Mantel, who is the Associate Director of the Institute of Public Administration. Mr. Mantel is a lawyer by training. He has worked with the Institute as an advisor to local, state and federal government agencies in the United States. Mr. Mantel has a wide range of experience you can take advantage of in the course of your deliberations.

We have four additional lawyers from my law firm here to work with the Convention. Mr. Paul S. Koffsky, Robert A. Major, Neal S. Solomon and A. Mark Weisburd. They will be working with Ms. Siemer, Mr. Mantel and myself.

As you know from our briefing papers, we have basically one assignment here, that is to help you prepare a Constitution that is consistent with the Covenant and the United States Constitution and responsive to the needs of your people. We have prepared briefing papers which are designed to put before you the various alternatives which we think you would like to consider on many of the important issues before this Convention. We have no predilections regarding the kind of Constitution you should have. We are here to provide you with our guidance, if you request it. We are prepared to assist you in every way possible during the next 50 days and look forward to the opportunity of working with you. Thank you.

Director Pedro A. Tenorio: Thank you, Mr. Willens. Mr. President, I would like to say if any of the Delegates has any particular problem they want us to look into, please do not hesitate to call upon myself and the other members of my staff. Again, on behalf of the members of my staff, I wish you all success in your very difficult role as you prepare the Constitution for the Islands of the Northern Marianas. Thank you very much.

President Guerrero: Thank you, Mr. Tenorio. The next thing on our agenda is the report of the Pre-Convention Committee. At this time, I would like to call Mr. Jose P. Mafnas, who is the Chairman of the Pre-Convention Committee. Mr. Mafnas.



Chairman Jose P. Mafnaa: Thank you, Mr. President, Resident Commissioner Canham, and Members of this Convention.

Your Pre-Convention Committee met last week to discuss the organization and procedures of this Convention. We developed a proposed agenda for this first session, a set of procedural rules, and a draft schedule for consideration by this body. The results of our work were passed out to each Delegate last week.

It is now up to all of us - from each Delegation - to work together to draft a Constitution for the Commonwealth of the Northern Mariana Islands. No Constitutional Convention in recent history has tried to do so much in so little time. We must use each of our 50 days to the fullest. It is for that reason that the Pre-Convention Committee proposed a draft schedule for your consideration. This schedule provides that our committees would try and complete their work in the first three weeks of the Convention and submit their reports at the conclusion of that period to the Convention sitting as a Committee of the Whole. We know that this is an ambitious schedule. Speaking on behalf of the Pre-Convention Committee, let us set aside our political differences, let us put our heads together and concentrate our efforts on the next 49 days so that when December 6th arrives, we can be proud of our accomplishment. Thank you.

President Guerrero: The Chair recognizes Delegate Benjamin T. Manglona, Chairman of the Rota Delegation. Mr. Manglona.

Delegate Benjamin T. Manglona: Mr. President, Fellow Delegates and Honored Guests:

Before we end this opening session I would like to make a few remarks on behalf of the Rota Delegation.

My fellow Delegates from Rota and I wish to extend our congratulations to the Delegates from Tinian and Saipan to this Convention. We believe it is a great honor to be elected by our people to prepare the first Constitution in the history of the Northern Mariana Islands. We are here to work. We wish to assure the Delegates from Tinian and Saipan of our wholehearted support in the important assignment of this Convention.

It is unfortunate that this Convention opens during a political campaign season. Some of us belong to the Territorial Party; others belong to the Popular Party. We must avoid the temptation of using this Convention to advance our own political fortunes or those of any political party. We must unite -- regardless of political affiliation -- in the effort to write a workable Constitution for all the people of Northern Mariana Islands.

We from Rota come to this Convention with an open mind, ready to forget the injustices of the past. We do not believe that our people were always fairly treated by the leaders from Saipan. We are prepared to look to the future, not the past, and to assume that all the islands in the Marianas will share equally in the benefits of our new Commonwealth. There can be no progress without justice, and there can be no justice until we recognize that the people of the Northern Marianas are one people. Our Constitution must reflect this basic principle.

We have much to do in only 50 days. We must take advantage of each of these days, even if it means hard work and long hours to accomplish the job given us by the voters. The success of the Convention lies in our hands. Let us begin. Thank you, Mr. President.

President Guerrero: The Chair recognizes Delegate Olympio T. Borja at his request to make a few remarks. Mr. Borja.

Delegate Olympio T. Borja: Resident Commissioner and Mrs. Canham, Mr. President, Delegates to the Constitutional Convention of the Northern Mariana Islands, Honored Guests, Ladies and Gentlemen:

Mr. President and Honorable Delegates, with your indulgence, I wish to make a few brief remarks at this opening session of our Convention.

At the outset, I want to extend my deep and sincere appreciation and "dangkulona si yuus maase" to the people of the Northern Marianas for allowing me -- and all of us -- the opportunity to represent them in this crucial event. Second, I want to offer my heartiest congratulation to you, Mr. President, for the election to the high office of President and this assures me that our work here will be carried out efficiently and effectively, in the best spirit of harmony, cooperation, and mutual interest for the benefit of our people, and I offer my sincere cooperation in this regard.

Mr. President, I am sure that the historical importance and meaning of this Convention have escaped none of us: We have undertaken a solemn and serious duty to write the basic legal foundation for our future Government, one that will allow for local autonomy, yet be responsive to all our citizens. It is an awesome task, but I am certain that we will all rise to meet the challenge to the best of our abilities, so we may see realization of full Constitutional self-government early in 1978. As I mentioned, this is an historical convention for it is yet another step in achieving towards our ultimate political goal -- it is a step which perhaps was preordained when American Armed Forces liberated the people of the Northern Mariana Islands amidst the smoke and ashes of World War II some 30 years ago. Prior to that day, our people and islands had been no more than colonial possessions of three foreign powers over a period of three centuries. Now, as a logical consequence of our liberation and administration by the United States of America, and our long desire to become a part of the American Political Family, we are preparing to write our own Constitution and prepare for true self-government; we are preparing for a final step in the process which began with our status negotiations, the plebiscite, and the signing of the Covenant. In effect, Mr. President, what could not have been done in 300 years previously, we will accomplish in 30 short years.

In therefore realizing the historical significance of this moment, and this Convention, it behooves all of us to also look forward to the next 300 years, and the next generations of our people. We must protect their interests, and the interests of their children in this one document, and consequently, I respectfully suggest that each one of us was elected a Delegate to do a job for all of our people. As elected representatives I urge all of us to put aside any political, cultural or other affiliations we may have, and to work together in a spirit of harmony for all our people. Of course, Mr. President, there are bound to be problems, and many perplexing questions to consider in our Convention. While the concept of a Constitution is a simple one, it involves complex matters, and difficult decisions. A Constitution should be brief, but not too brief; it should be flexible, not too vague; it should be all encompassing, but not unduly restrictive; it must fit the particular history, circumstances and needs of a people, but it must also anticipate a change in those circumstances and needs in the future.

For this reason, Mr. President, I want to single out for praise our Consulting Firm of Wilmer, Cutler & Pickering for the extensive and exhaustive briefing papers which have been professionally prepared for our review and consideration. Certainly the excellence of their research in their background papers will be of invaluable assistance to our considerations and deliberations in the days forthcoming. The better prepared we are, the better chances are for a successful convention, and an excellent Constitution.

Therefore, I have every hope and expectation that, given the quality of the Delegates and leadership, and the technical expertise provided, we will successfully accomplish our mission within the 50 days allowed by our Law.

In setting forth on our task, we must note that because of the unique requirements of the Trusteeship agreement, our entrance into Constitutional Government perhaps has been delayed far beyond what we wished, but on the other hand, we must also acknowledge that with the Covenant in hand, and the Constitution close at hand, we will have the potential for enjoying local autonomy and self-government to a degree which remains beyond the grasp of other jurisdictions within the American Political Family.

In conclusion, Mr. President and Delegates, let us ask the Lord for His Blessing upon this Convention and upon us so that we will carry out his work, with foresight and wisdom, with equity and with courage, and also discharge our duties and responsibilities as Delegates in this very important and historical task for the benefit of our Islands and our generations to come. Thank you very much, Mr. President.

President Guerrero: Delegate Felipe Q. Atalig is recognized by the Chair.

Delegate Felipe Q. Atalig: I am not going to give any speeches today, but I would like the house to recognize Commissioner Pedro Nakatsukasa, Jose C. Tenorio, Mayor Felipe Mendiola, Speaker Jose R. Rios, Speaker Alfred Apatang, Chief Exec. Francisco C. Ada, Dr. Benusto R. Kaipat, and prospective Senatorial candidate, Jose R. Lifoifoi.

President Guerrero: The Chair recognizes Benigno R. Fitial, Delegate from Saipan.

Delegate Benigno R. Fitial: I move we recess until 1:30 p.m.

The motion was seconded

Delegate Jose R. Cruz: Mr. President, I just want to request this Convention to recognize everybody in the gallery.

President Guerrero: Yes, we thank you all for coming today.

The motion has been made and seconded that we recess until 1:30 p.m.

Recognize Delegate Jose R. Cruz.

Delegate Jose R. Cruz: Point of Information. This body is duly constituted, however, this body is without Rules.

Delegate Oscar Raaa: There is a motion on the floor.

President Guerrero: We will now vote on the motion to recess until 1:30 this afternoon.

A voice vote was taken and the motion carried for recess.

President Guerrero: That will conclude our program for this morning, Ladies and Gentlemen. We thank you for your presence at the Convention this morning.

The Convention recessed at 10:10 a.m.

RECESS

President Guerrero called the Convention to order at 2:10 p.m.

President Guerrero: As per the motion made this morning, our first order of business should be to adopt the Rules of Procedure for this Convention. Do I hear a motion?

Delegate Francisco T. Palacios: Mr. President, I move that the Rule of Procedure as proposed for the Convention, inclusive of the eleven proposed amendments as just distributed, be adopted as the official Rules of Procedure of this Convention.

The motion was seconded.

Delegate Olympio T. Borja: Mr. President, I would like to ask the privilege of expressing my views on the motion, particularly on the proposed amendments to the Rules of Procedure. I believe that the Rules of Procedure to be adopted should be the ones prepared by the Pre-Convention Committee since Public Law No. 4-205 gave them the authority and mandate to prepare such for consideration. After reviewing the eleven proposed amendments it appears to me that they are in conflict when we don't have the official Rules of Procedure adopted. I can see that these proposed amendments could be appropriate if they were taken up later on as provided for in the Rules. I think it is only correct, Mr. President, if we adopt our own Rules of Procedure, they should be the ones prepared by mandate and authority. They

should be the official Rules of Procedure. These were prepared in advance and we had time to study them. The proposed amendments have been distributed too recently for us to have time to study them. If I look up the chapter pertaining to future changes, we can easily adopt any amendments at a future date. It appears to me, Mr. President, that every Delegate here is entitled to advance notice and time for them to review and deliberate. It would be good to have notice of one day, or possibly five days, as provided for here. The only opposition I have for the motion is that I do not like to see us, the Delegates, act on the proposed amendments when we do not already have the official Rules of Procedure for this Convention. Therefore, Mr. President, I would like to make an amendment as a privileged motion to adopt the Rules of Procedure that have been prepared solely by the Pre-Convention Committee.

The motion was seconded.

President Guerrero: There is now an amendment to the main motion, is that clear? Delegate Borja requested that the Rules of Procedure prepared by the Pre-Convention Committee be adopted before any amendments be adopted by this Convention.

Delegate Olympio T. Borja: Mr. President, I would like to clarify my point a little bit. The proposed amendments, numbers one through eleven provide within themselves that they are amendments. My objection is that we should adopt the official rules first and then discuss and perhaps adopt the amendments.

Delegate Francisco T. Palacios: We cannot amend the Rules at this time because there are no Rules to amend. First we must adopt the Rules of the Convention. Any Delegate who wants to amend the Rules should do so after we adopt the Rules of Procedure; so the motion to amend is not in order.

Delegate Ramon G. Villagomez: Mr. President, I agree wholeheartedly with Delegate Borja and I would like to add to his position. The eleven amendments that are before us are proposed changes in the Rules of Procedure. They have been given to us within the last few moments and we have had no opportunity to look at them and take them into consideration. I believe that the main, or primary, Rules of Procedure were issued by the Pre-Convention Committee and the members of this Convention have had time to determine whether they are proper or improper. We have not had time to look at the proposed changes to the Rules. Therefore, I believe that not only is it more proper at this time to adopt the Rules given to us by the Pre-Convention Committee, but we should wait until after then to make any amendments as permitted. If we are going to adopt the proposed amendments now, we are jumping ahead of ourselves. We have not had time to look over those proposed amendments. I think it is proper at this time to open discussion and discuss each one of those proposed amendments.

Delegate Joaquin S. Torres: Mr. President, I vehemently disagree with Delegate Borja. If a lack of time is the concern, may I suggest that we have a fifteen minute recess. The proposed amendments are very simple and I think we should go ahead with the work of this Convention in adopting the Rules at this time.

Delegate Jose R. Cruz: Mr. President, how can we propose amendments to the Rules of Procedure when we have no Rules? May I remind all of the Delegates that this morning I posed that question. I said that this body is duly constituted, therefore, we must have the Rules as soon as possible. These eleven sheets of paper handed to me just minutes ago are simply proposed amendments. The question rises now: "How can you amend a Rule when you don't have a Rule?" Certainly I agree with Delegate Borja's remarks.

Delegate Oscar C. Rasa: Point of order, Mr. President. Delegate Borja's motion is out of order simply because Delegate Palacios' motion is not to amend the Rules of Procedure, but to incorporate the proposed changes. We have to make a point of clarification in here. We cannot amend a Rule that is not in existence. In order for these Rules of Procedure to be adopted, this Convention as a Whole will have to vote on them. We have not yet voted on these Rules. The motion made by Delegate Palacios is that we must incorporate not the amendments, but the proposed changes. Therefore, the amendment to the motion is out of order. Mr. President, I move for the previous question.

The motion was seconded.

Delegate Herman Q. Guerrero: Point of privilege, Mr. President. Could we have time to review this question?

Delegate Oscar Raza: May I ask the Delegate to identify what point of privilege. There is a motion for the previous question. He is out of order Mr. President.

President Guerrero: The Chair recognizes Delegate Herman Guerrero. Please state your privilege. Please make sure it's consistent with our discussion.

Delegate Herman Q. Guerrero: Mr. President, we should all be able to work harmoniously in this Convention. We should have Rules, I agree with this wholeheartedly. The incorporation of the proposed changes to the Rules of Procedure as proposed, as the papers have been handed to us only within the last minutes, have not left time to digest what is proposed. We do not know what effect these proposed changes will make. All I am asking is sufficient time to review these proposed changes. Thank you.

President Guerrero: There is a question on the floor. At this time the Chair recognizes that we should dispose of the main motion as made by Delegate Palacios.

Delegate Jose R. Cruz: Mr. President, having heard the explanation of Delegate Raza, I believe that we have, in essence, the same position. The eleven sheets of paper just distributed, as I was saying before, propose Rule amendments. You can look at the top of each of these eleven sheets and they say "Proposed Rule Amendment." My question is: How can we have a proposed amendment to a Rule when this body doesn't have any Rules? I am saying that I agree with Senator Borja.

Delegate Oscar Raza: Mr. President, I made a motion for the previous question.

President Guerrero: We will now vote on Delegate Raza's motion for previous question.

Voice vote was taken on the motion for previous question. A division of the house was called. On vote by show of hands, motion carried for previous question.

President Guerrero: At this time I would like to ask Delegate Palacios to please restate his motion.

Delegate Francisco T. Palacios: Mr. President, my motion was to adopt the proposed amendments to the proposed Rules of Procedure for the Convention, inclusive of proposed eleven amendments.

The motion was seconded.

President Guerrero: The floor is open for discussion on that motion.

Delegate Jose R. Cruz: Mr. President, I would like to request, perhaps from the Legal Department, some clarification under Public Act No. 347 .....

Delegate Olympio T. Borja: Mr. President, there is already, a motion for the previous question. Point of order.

Delegate Jose R. Cruz: Point of order, Mr. President, he has not been recognized by the Chair and is speaking.

President Guerrero: Please, I ask your cooperation in this. May I call upon our legal counsel to clarify this matter. Delegate Cruz, please continue.

Delegate Jose R. Cruz: The question I am posing, Mr. President, is that under Act No. 347, Section 6(b), there is language that stipulates that this Convention has the legal and final authority to determine the eligibility of the delegate-elect. Now, under the so-called Proposed Amendment No. 4, it says, "No protest or petition contesting the election or appointment of any delegate shall be received or considered by the Convention." I just want a simple clarification of that.

President Guerrero: May I have an opinion from our Legal Consultant, please.

Mr. Willens: Mr. President, it is our view that the Proposed Rule Amendment No. 4 is consistent with the enabling Act.

President Guerrero: We will now vote on the main motion as made by Delegate Palacios.

Voice vote was taken and a division of the house called. Upon vote by show of hands, motion carried to adopt the proposed Rules of Procedure for the Convention, including the eleven proposed amendments as presented.

President Guerrero: I just want to make a clarification here. I hope it is the understanding and majority of consensus that we adopted the Rules of Procedure as amended by the proposed amendments. Our next order of business is the election of our officers. We will elect three vice presidents and according to the Rule just adopted, we will have a floor leader.

Delegate Benigno R. Ftial: Mr. President, I nominate Delegate Benjamin T. Manglona, Delegate from Rota, for our First Vice President.

The nomination was seconded.

Delegate Jose R. Cruz: Mr. President, I move that nominations are closed.

Motion was seconded to close nominations.

Delegate Oscar C. Rasa: Mr. President, there being no further nominations, I move that we elect Delegate Manglona by acclamation to First Vice President of our Convention.

The motion was seconded.

President Guerrero: Motion being made and seconded that Delegate Benjamin T. Manglona be elected to our First Vice President, may we have a round of applause.

First Vice President Benjamin T. Manglona: Mr. President, I would like to express my deepest appreciation to each and every one of the Delegates for their vote of support in making me First Vice President of this Convention.

Delegate Manuel A. Tenorio: Mr. President, I would like to nominate for Second Vice President Delegate Vicente M. Manglona from Tinian.

The nomination was seconded.

Delegate Jose R. Cruz: I move that nominations close.

Motion was seconded to close nominations.

Delegate Oscar C. Rasa: Mr. President, I move that Delegate Vicente Manglona be elected Second Vice President by acclamation.

The motion was seconded.

President Guerrero: Delegate Vicente M. Manglona is elected Second Vice President by acclamation.

Second Vice President Vicente Manglona: On behalf of my family and myself, I would like to extend my sincere appreciation to all those who have delegated the responsibility of Vice President to me.

Delegate Leon I. Taisacan: Mr. President, I nominate Delegate Francisco T. Palacios as our Third Vice President.

The nomination was seconded.

Delegate Jose R. Cruz: Mr. President, I nominate Delegate Olympio T. Borja as Third Vice President.

The motion was seconded.

Delegate Olympio T. Borja: Mr. President, as much as I appreciate the nomination, I must decline. I move that we elect Francisco T. Palacios by acclamation.

The motion was seconded.

President Guerrero: Delegate Palacios is elected by acclamation to the position of Third Vice President.

Third Vice President Delegate Francisco T. Palacios: I would like to express my appreciation to you for electing me your Third Vice President.

Delegate Benigno R. Fitial: Mr. President, I nominate Delegate Oscar C. Rasa for the office of Floor Leader.

The nomination was seconded.

Delegate Olympio T. Borja: Mr. President, I move that we elect Delegate Rasa by acclamation.

The motion was seconded.

President Guerrero: Gentlemen, Mr. Rasa is our new Floor Leader by acclamation. The election of our officers is now concluded.

Delegate Pedro Q. Dela Cruz: Mr. President, correct me if I am wrong, but I believe the Rules of Procedure state the Secretary should be elected, too.

Delegate Benigno R. Fitial: Mr. President, I'm not sure if it is required, but I nominate Delegate Pedro M. Atalig as our Secretary.

Delegate Herman Q. Guerrero: Point of Information, Mr. President. I'm not sure the Convention Secretary is to be elected by the Delegates.

President Guerrero: For your information, I checked before the meeting today and that position of Convention Secretary does not have to be elected. I am sure that Delegate Pete Atalig is being appointed as Secretary for our Convention and is to be congratulated.

Delegate Benjamin T. Manglona: Mr. President, may I request a brief recess, subject to the call of the Chair. I so move.

Motion was seconded

President Guerrero: There will be a short recess, subject to the call of the Chair.

The Convention recessed at 2:40 p.m.

#### RECESS

President Guerrero called the Convention to order at three o'clock, p.m.

Delegate Benjamin T. Manglona: Mr. President, I wonder if I am in order to make a motion to amend Chapter VII, Section 1(b), and Chapter VII, Section 3(b), of our newly adopted Convention Rules of Procedure. I want to change the wording of the adopted Rule to the old proposed wording as provided in the Rules of Procedure. I want it placed on tomorrow's calendar in accordance with the Chapter that calls for one day's notice. I move that these matters are placed on the calendar for tomorrow.

The motion was seconded and carried for Chapter VII, Sections 1(b) and 3(b), to be considered on the Order of Business for the following day.

President Guerrero: There has been a sheet of paper recently distributed in this Convention Hall. The Chair would like to take this opportunity to assign the following Delegates to each respective Committee:

Chairman of the Committee on "Governmental Institutions" will be Delegate Jose P. Mafnas. The Vice Chairman will be Delegate Prudencio Manglona. Members will be Gregorio Calvo, David Atalig, Benjamin Manglona, Pedro Igitol, Vicente Attao, Joaquin Torres, Jose R. Cruz, Olympio T. Borja, Herman Q. Guerrero, David Q. Maratita and Antonio M. Camacho.

Chairman of the Committee on "Personal Rights and Natural Resources" will be Delegate Felipe Atalig. The Vice Chairman for that Committee will be Delegate Ramon G. Villagomez. Members will be Delegates Henry Hofschneider, Leon Taisacan, Pete Atalig, Luis Limes, Francisco Palacios, Juan S. Demapan, Manuel A. Tenorio, Felix A. Ayuyu, Jose S. Borja, Daniel P. Castro and Hilario F. Diaz.

The Chairman of the Committee on "Finance, Local Government and Other Matters" will be Delegate Benigno Fitial. Vice Chairman will be Delegate Pedro Dela Cruz. Members will be Delegates Pete Ogo, Esteven King, Luis Benavente, Juan Tenorio, Oscar C. Rasa, Vicente Manglona, Jesus G. Villagomez, Magdalena C. Camacho, Juan DLG. Demapan and Carlos S. Camacho.

If there are no objections from the floor, those will be the assignments of each Committee.

Delegate Ramon G. Villagomez: Mr. President, I would like to express my appreciation for my appointment as Vice Chairman of the Committee on Personal Rights and Natural Resources. However, I would like to say that I am more interested in being involved in the work of this Committee as a member. For that reason, I would like to inform you that I would prefer to not accept the appointment, Mr. President.

President Guerrero: Thank you, Delegate Villagomez. The Chair recognizes the interest you have expressed. At a later time today I will make another appointment for the Vice Chairman of that Committee.

I would like to announce before we adjourn today that the Committee on Organization and Procedure that consists of all officers just elected will have a meeting just as soon as the Convention adjourns today. We need to proceed with the necessary actions to be followed in this Convention and we also need to put in the calendar for tomorrow's meeting.

The Chair has not at this time, of course, appointed any sub-committees. Appointment is pending meetings with these other officers. If we see that it is required, we will assign some of the members to those sub-committees.

Delegate Jose R. Cruz: Mr. President, I move that we recess until tomorrow morning at nine o'clock.

Motion was seconded.

Delegate Olympio T. Borja: Point of information, Mr. President. Did you have further business?

President Guerrero: Yes, I would like to make two announcements before we recess. There is a reception this evening to be hosted by the Resident Commissioner, the Office of the Northern Mariana Islands Transition Commission and the Office of Transition Studies and Planning of the Northern Mariana Islands. It will be from six to eight o'clock p.m. at this hotel and all Delegates are urged to attend.

I recognize Delegate David Q. Maratita.

Delegate David Q. Maratita: Mr. President, I would like to inquire what title we are going to use in this Convention. Are we going to use "Delegate" or "Senator?" I would hope that each of us would be "Delegate."

President Guerrero: Thank you, Dave, for your concern. The most proper language for all of us to use is "Delegate" since we are all Delegates to this Convention.

Delegate David Q. Maratita: Thank you, Mr. President. I would just like to be assured that no more favorable treatment would be given a Senator than to any Delegate.

Delegate Jose R. Cruz: Mr. President, may I suggest that if the President wishes to insist on titles, when he recognizes someone like Delegate Borja, he says, "Mr. Borja, Senator Borja, Delegate Borja." (Laughter)

Delegate Hilario F. Diaz: Mr. President, point of interest, please. As I understand it, all the elected officers have expressed their appreciation in this Chamber today. I was just curious about our Floor Leader, the distinguished Delegate Oscar Rasa. I would like at this time to make a brief speech on his behalf.

Floor Leader Rasa: Mr. President, it would be most appropriate if I did this in writing. That is the reason why I have not expressed my appreciation. Be rest assured that I will do this in writing.

President Guerrero: Thank you. There is one other sheet that was distributed today listing the Administrative Assistance/Public Information Officers for each Delegation. For the Saipan Municipality it is Mr. Nick Santos. For the Rota Municipality it is Mr. Mateo Masga. For the Tinian Municipality it is Mr. Martin San Nicholas. Saipan, by the way, includes the Northern Islands.



Delegate Oscar C. Rasa: Mr. President, there being no further business, I move that the Convention recess until nine o'clock tomorrow morning.

The motion was seconded.

Delegate Jose R. Cruz: Mr. President, point of order. I believe the motion made by our Floor Leader is out of order as the motion was already on the floor. (Laughter)

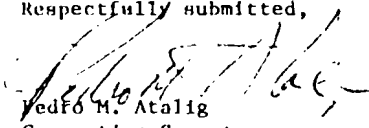
Floor Leader Rasa: Mr. President, the motion as entertained by Delegate Cruz is technically dead. A new motion to recess is in order.

Delegate Jose R. Cruz: I respectfully withdraw my point of order, Mr. President.

President Guerrero: The Convention is hereby recessed until tomorrow morning at nine o'clock.

The Convention recessed at 3:15 p.m.

Respectfully submitted,

  
Jedfo M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

SECOND DAY  
Tuesday, October 19, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 9:15 a.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 38 Delegates present. Delegate Herman Q. Guerrero was absent.

Floor Leader Rasa: Mr. President, I move that Delegate Herman Guerrero be granted leave of absence.

The motion was seconded and, there being no objection from the floor, the President so ordered.

(4) ADOPTION OF JOURNAL

President Guerrero: The next item on our agenda is the adoption of our Journal. For your information, I received information from the Secretary that duplication of our Journal for yesterday's meeting is not completed and is in the process.

Floor Leader Rasa: Mr. President, just a point for clarification. According to the rules and procedures that we adopted yesterday item number 4, "Adoption of the Journal" is not included in the official Rules of Procedure. I, therefore, move that we bypass this and move on to item 5.

The motion was seconded and carried by voice vote.

(Delegate Herman Q. Guerrero entered the Convention floor.)

(5) MISCELLANEOUS COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Felipe Q. Atalig: The Committee on Personal Rights & Natural Resources has no report at this time, Mr. President.

Chairman Jose P. Mafnas: Mr. President, your Committee on Governmental Institutions has no report as yet.

Chairman Benigno Fitial: The Committee on Finance, Local Government and Other Matters has not yet met and, therefore, has no report at this time, Mr. President.

(7) INTRODUCTION OF PROPOSALS - None

(8) FIRST READING OF PROPOSALS - None

(9) SECOND AND FINAL READINGS OF PROPOSALS - None

(10) MOTIONS AND RESOLUTIONS

Delegate Benjamin T. Mangiona: Mr. President, before I make a motion I would like to refer this Convention to line item 68 of our Rules of Procedure, "Notice and Vote Concerning Amendment of Rules." It requires this Convention to have not less than five (5) Convention days' notice in order to make an amendment. Therefore,

Mr. President, at this time I wish to move for the temporary suspension of our Rules of Procedure in order to adopt Proposed Amendment Number 12.

The motion was seconded and carried by voice vote.

Delegate Carlos S. Camacho: Point of information, please. I don't have a copy.

President Guerrero: Do any other Delegates not have copies of the Proposed Amendment? Are you ready to vote on that suspension of the Rules?

Delegate Olympio T. Borja: Point of information, Mr. President. I believe we just adopted the suspension of the Rules and I think we now need a motion to adopt Proposed Amendment No. 12.

Delegate Pedro Q. Dela Cruz: I so move--that the Proposed Rules Amendment No. 12 be adopted.

The motion was seconded and carried by voice vote. Proposed Rules Amendment No. 12 was adopted by the Convention.

Delegate Luis M. Limes: Mr. President, I am sorry but I am all mixed up. Has Proposed Amendment No. 12 been passed out yet?

President Guerrero: I am sure that all the necessary papers have been passed to the individual Delegates. Does everyone have a copy at this time, please?

Delegate Luis M. Limes: Yes, Mr. President. Thank you.

President Guerrero: Before going to item eleven I would like to ask our legal counsel about the "Summary of Voting Requirements under Convention Rules" that was distributed this morning.

Mr. Willens: Mr. President, we thought it would be useful for the Delegates to have a summary of the voting requirements established by the Rules of Procedure that you have adopted, which we have distributed to you. It is a one page summary of the voting requirements, so that when during debate you come up against a particular motion, you will be able to easily ascertain whether a majority vote is needed or whether some other requirement is established by the Rules. It is for your convenience, and has no independent legal significance.

Delegate Olympio T. Borja: Thank you, Mr. President. I believe that while we are discussing Motions and Resolutions, the point raised by Floor Leader Rasa is a valid point. I concur with him, but I fail to see any provision in the Rules that the Delegates must adopt the Journal on the following day. I must bring this notice in advance, like Delegate Manglona did yesterday. Since this provision is very important I would like to make a motion that such insertion for the adoption of the Journal be placed on the calendar for tomorrow. I will put it in writing following today's session so that it will be included on tomorrow's calendar. Therefore, Mr. President, in the interest of convenience and an effective Journal for the Convention, I move that tomorrow's calendar contain a proposal to insert the requirements of the Journal for the approval of the Convention.

The motion was seconded.

Delegate Benigno Fitial: Mr. President, point of information. Was this intentionally left out by the Pre-Convention Committee?

Delegate Jose P. Mafnas: No, it was not intentionally left out. It was inadvertently omitted.

Floor Leader Rasa: To provide more enlightenment on the issue, upon reviewing yesterday's Journal, it appears that a few of the statements were left out. I suggest that we should get together and try to decide just how we're going to work those aspects which will affect the adoption of the Journal. The members should be given time to review statements they made because we do make mistakes, Delegates as well as secretaries. It should be reviewed before adoption by the Convention as a whole.

Mr. Willens: The Rules provide in Rule 14(b) that the Secretary has the responsibility of keeping a daily Journal of the Convention proceedings, summarizing the matters considered and the actions taken by the Convention, and to provide a copy for the Delegates as promptly as possible. It is the intention of the Rules that the Journal be a summary of the actions taken and the matters discussed and that the Journal not be a verbatim transcription of the proceedings of this Convention. As Delegate Rasa has indicated, a transcription involves numerous problems of accuracy, of completeness, and cannot possibly be done in our view on a daily basis. We believe that a Journal should be a short summary of what was done on each day so that it could be prepared easily and reviewed by the Delegates at the beginning of each session. I am trying to distinguish between a Journal and a verbatim transcription.

Delegate Felipe Q. Aralig: I disagree with the legal consultant. I am specifically referring to my statement on page 9. This is just a minor thing, but "Commissioner" Pedro Nakatsukasa should be inserted in there. It has been deleted and, also, "Prospective Senatorial Candidate" Jose R. Lifofoi. Why was this not included in my statement?

Delegate Jose R. Cruz: Mr. President, for further enlightenment, not for any recrimination motive, Mr. President. But a Journal which must be adopted by the Convention should be on a verbatim basis. We cannot shortcut statements made by the Delegates. Delegate Jose R. Cruz, on the last page, and I quote, Mr. President, "I believe our Floor Leader is out of order as the motion was already on the floor." I did make a response which evidently is eliminated. These are minor things. We should not quarrel. But I think as a matter of record the Journal should be on a verbatim basis. That is why Senator Borja is coming up with a design tomorrow so we can act on it. We cannot shortcut statements, Mr. President, made by the Delegates. This is distorting statements.

*Journal*

President Guerrero: Your point, Mr. Cruz, is well taken and I am sure that we will discuss this with our recorders here, who are under the responsibility and direction, of course, of the Secretary, so that all the statements made by the individual Delegates will be inserted in the Journal. I would urge, also, that each member should have an opportunity to review the Journal and make sure that all the statements are well taken for the adoption of the Convention.

Delegate Jose R. Cruz: Thank you, Mr. President. I certainly agree with the remarks made by Delegate Rasa. The remark I made yesterday, and the response shown in the Journal certainly made it look very much ridiculous on the part of the Delegate. Mr. President, on page 5, Rule 14(b), as our consultant indicated, this Convention agrees to the substance of these provisions that the Secretary shall keep a daily Journal of this Convention summarizing the matters considered. We have to decide whether we want this Convention to have just a summarized Journal or verbatim. That is the question now that we have to decide, otherwise we are bound by this Rule.

Delegate Dela Cruz: Thank you, Mr. President. This is the same line as Floor Leader Rasa mentioned. Yesterday I made two statements and they are omitted from the Journal entirely.

Delegate Joaquin Torres: I agree with the Delegate from Tinian's interpretation of the Rule. However, that does not include omission of statements made by Delegates. Summary does not mean omission of statements made by Delegates when the Rule provides for summarization of statements made by the Delegates. Again I repeat: that does not authorize omission of statements made by the Delegates.

Delegate Manuel A. Tenorio: Thank you, Mr. President. For clarification, I want to know, for the Convention, if the tapes are kept as a record. And when the Convention does, in fact, adopt the daily Journal, will they adopt the daily recordings for the record, too?

President Guerrero: For your information, Delegate Tenorio, I am sure that all the recordings are in custody of the Convention under the jurisdiction of the Secretary. I am sure that it is well recorded and if anyone has any doubt they could refer to the tapes.

Delegate Francisco Palacios: Mr. President, I agree that the Rules provide for a summary, however, in this First Day Journal some of it is summary and some is verbatim. That is why there is some ill-feeling here, because what Delegate

Cruz stated is verbatim, but that statement is not followed by what Delegate Rasa had stated. There is some unbalance. If we want a summary Journal, then let's have a summary Journal. If not, then let's decide what we should have. Thank you.

Delegate Jose R. Cruz: Thank you, Mr. President. What I think happened during the Pre-Convention meeting, in the interest of efficiency and so that we have a daily digest, it was discussed that perhaps a summarization of the Journal is the best formula. I would like to express a point that I do not condone omission of a statement by a certain Delegate. What I was referring to awhile ago is that we have a Rule, we have adopted such Rules, and we are bound by these Rules that state the Journal will be on a summary basis. Now, if this Convention wishes to have a verbatim Journal, then we should just change the Rules. That is the substance of my remarks earlier.

Delegate Benigno Fitial: Mr. President, we have, I'm sure, identified the problem and if we are going to keep talking about it, I'm sure there is nothing that can be done at the moment. Delegate Borja has a plan that will be submitted in tomorrow's agenda to resolve this problem. So let's end debate on this particular matter. I so move.

The motion was seconded and carried. Debate was ended.

President Guerrero: Are we ready to vote on the main motion by Senator Borja?

Delegate Jose P. Mafnas: Mr. President, point of information. May I ask the distinguished Delegate, Senator Borja, to restate his motion, please.

Delegate Olympio T. Borja: Mr. President, I am very happy to respond and restate my motion. The motion I have placed on the floor is a motion to place on the calendar of business for tomorrow's consideration of an amendment to the Rules of Procedure concerning the requirement of the adoption of the Journal.

Delegate David Q. Maratita: Mr. President, I just want to be enlightened on agenda item number ten, "Motions and Resolutions," referring to Rules of Procedure Chapter 7, Section 1(b) and Section 3(b). Where can I find these particular chapters?

President Guerrero: I'm sure you can find these in the Proposed Rules of Procedure.

Mr. Willens: Mr. President, the Rules have been renumbered so now there is an amendment to Rule 66 and Rule 68.

Delegate Pedro Dela Cruz: I'm sorry, Mr. President. We only have to page 20 of the new regulations, so the old regulations should be taken off.

Mr. Willens: It is on page 18 of the retyped version distributed this morning. There was an amendment to Rule 66(b) and 68(b) and a substitute page can be prepared reflecting the action of the Convention this morning. Throw away the old ones.

President Guerrero: Delegate Maratita from Saipan, is that clear?

Delegate David Q. Maratita: Chapter 7, Section 1(b) and Section 3(b), I cannot find it here.

President Guerrero: That is the old numbering.

Delegate David Q. Maratita: I would like to refer to this particular Chapter. Are we referring to the adopted Rules of Procedure?

President Guerrero: Yes, correct. The one that we adopted yesterday. This is the Proposed Amendment that will be submitted this morning.

Delegate David Q. Maratita: Mr. President, Chapter 7, Section 1(b); can anyone help me in finding this?

Delegate Pedro Dela Cruz: Mr. President, maybe I can explain this.

President Guerrero: I'll have the Delegate from Rota, Mr. Dela Cruz, explain.

Delegate Pedro Dela Cruz: Chapter 7, Section 1(b), is on page 25 of the old regulations. This was amended yesterday and a new version has been produced. So take this old regulation and throw it out the window. And then turn to page 18, number 66, in which number 66, Section 1(b) is, and then you refer back to Proposed Rule Amendment No. 12, which has been adopted. That's where it is. Page 18, No. 66, is supposed to be the old Chapter 7.

Delegate David Q. Maratita: Thank you, Mr. President. I hope we can adopt this system in Chapter 7, Section 1(b), on the new Rules of Procedure. I don't see any Chapter 7, Section 1(b).

Secretary Atalig: Mr. President, if you will recall, yesterday, Delegate Benjamin Manglona moved that we consider Chapter 7, Section 1(b) and Section 3(b) and the motion was carried. That was a motion to put this on the calendar and that is why it appears here, if you recall.

Delegate Benigno Fitial: I think the problem here, as a point of reference, is that the new version of the Rules of Procedure does not include any chapters. The new Rules are being enumerated and they are not classified under the chapter system.

President Guerrero: I am sure that we have had enough discussion on that, so let's move on to our next item on the agenda.

- (11) UNFINISHED BUSINESS - None.
- (12) SPECIAL ORDERS OF THE DAY - None.
- (13) GENERAL ORDERS OF THE DAY - None.
- (14) ANNOUNCEMENTS

Chairman Fitial: Mr. President, I would like to announce that the Committee on Finance, Local Government and Other Matters will have a meeting immediately after this morning's session in one of the rooms over in the annex.

Chairman Atalig: The Committee on Personal Rights & Natural Resources will have a meeting immediately after this session, along with the consultants for the Committee. May I ask, Mr. President, that the attendance of this meeting is mandatory. They have to be there for this meeting, and I urge every member to come and if they don't come, we will exercise the power of the Sergeant-at-Arms.

Chairman Mafnas: Mr. President, your Committee on Governmental Institutions will be meeting immediately after this session. I urge every Delegate to be present.

Delegate Antonio M. Camacho: Mr. President, I would like to add to the directive of Delegate Atalig. I think the Delegate who intends to be absent could send a proxy to his Committee.

President Guerrero: I hope that matter can be settled with your respective chairmen. Make sure that any Delegate who will not be able to attend any meeting will extend a notice of excuse, with some good reason that you will not be able to attend.

Delegate Pete Ogo: Mr. President, for a point of clarification on these announcements. I was listening for some specific place. We have a meeting today but we don't know where we are to meet. I am very sure there is going to be a lot of confusion after this meeting. I hope these announcements for meetings can be more specific in time and place.

Chairman Mafnas: The Committee on Governmental Institutions will be meeting in the Conference Room immediately after this session.

Chairman Fitial: The Committee on Finance, Local Government and Other Matters will be meeting in one of the conference rooms that will be available.

President Guerrero: For your information, the gallery behind us could be utilized for a Committee meeting. I understand there is a partition that can be closed if it is necessary.

Secretary Atalig: I would like to point out that I will be the one scheduling the different rooms for use. Some Committees are larger than others. Naturally those smaller Committees could meet in a conference room. The larger Committees, such as Governmental Organization, could use this Convention Hall. There is also another facility and that is the Keio Room, the Japanese restaurant. I would like the chairmen to get together with me on this and not just schedule their own.

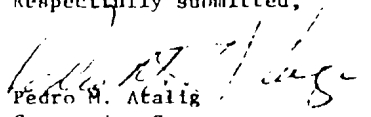
Delegate Manuel Tenorio: Mr. President, if there is no further discussion or announcement, I would like to move that we recess until one o'clock this afternoon.

Delegate Olympio T. Borja: Mr. President, I would like to amend the motion to state that we will recess until tomorrow morning at nine o'clock a.m.

The motion was seconded and carried by voice vote.

The Convention recessed at 10:55 a.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

THIRD DAY  
Wednesday, October 20, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 9:15 a.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 39 Delegates present. No Delegates were absent or excused.

(4) COMMUNICATIONS - None.

(5) COMMITTEE REPORTS

Chairman Jose P. Mafnas: Mr. President, I would like to make an oral report to the Convention. Your Committee on Governmental Institutions met yesterday and made substantial progress on the issue of a Washington Representative. A report will be prepared and submitted to the Committee of the Whole. Thank you.

Chairman Benigno Fitjal: Mr. President, your Committee on Finance, Local Government and Other Matters also met yesterday and adopted a schedule of meetings and agenda. We are very confident we will accomplish our assignment in three weeks as provided by the schedule from the Pre-Convention Committee. Today we will discuss Constitutional Amendment and we are also confident that we will accomplish this today.

Chairman Felipe Atalig: Mr. President, at this time I would like to make an oral report. Your Committee on Personal Rights & Natural Resources began its deliberation yesterday morning. The Committee decided to consider the matters assigned to it in the following order: Eligibility to Vote and Election Procedures scheduled for discussion on October 19 and 20; followed by Bill of Rights on October 20 and 21; then Natural Resources on October 26 to 28; and Land Alienation from October 29 to November 4. Your Committee designated November 5 for their review and adoption of all constitutional provisions to be proposed by the Committee to the Convention. At its afternoon meeting the Committee discussed Eligibility to Vote. The Committee tentatively made decisions concerning citizenship, age and residency requirements. Today's agenda for the Committee includes literacy requirements, disqualification from voting due to conviction of a crime, election procedures, initiative, referendum and recall. I wish to further report, Mr. President, that the participation and output of work by your Committee members is excellent and highly commendable by your Committee Chairman. Thank you.

(6) INTRODUCTION OF PROPOSALS

Delegate Jose R. Cruz introduced Delegate Proposal No. 01, entitled "Proposal Regarding the Executive Branch of Government."

At the request of Floor Leader Rasa, President Guerrero dispensed with items (7) and (8) of the Order of Business, there being no objection from the floor.

(9) MOTIONS AND RESOLUTIONS

Floor Leader Rasa: Mr. President, at this point I would like to move that Convention Rule 68(a) be temporarily suspended.



The motion was seconded and carried to temporarily suspend Rule 68(a).

Floor Leader Raza: Mr. President, at this point I would like to introduce Proposed Rule Amendment No. 13, specifically deals with the Journal and the transcript. I move that Proposed Rule Amendment No.13 be adopted.

The motion was seconded and carried. The adopted Rule Amendment is as follows:

RULE AMENDMENT NO. 13

Resolved, That the following be added to the Rules of Procedure:

77. Journal. The journal to be prepared by the secretary pursuant to Rule 14(b) shall consist of a summary of the proceedings of the Convention. The journal shall be produced daily for the delegates and shall be submitted for their approval each day during the Convention's consideration of preliminary matters under Rule 38.

78. Transcript. A verbatim transcript of the proceedings of the Convention shall be produced and distributed by the secretary under Rule 14(g) to the delegates as is practicable. Delegates shall have four (4) days, excluding days on which the Convention does not meet, in which to correct inaccuracies in the transcript by filing an appropriate notice with the secretary of the Convention or by offering an amendment or addition during its consideration by the Convention. Following this four (4) day period, the president shall submit the transcript to the Convention for its approval.

Floor Leader Raza: Mr. President, there being no further action under Motions and Resolutions, I request that we move on to item (10) of our Order of Business.

President Guerrero: There being no objection from the floor, it is so ordered.

(10) UNFINISHED BUSINESS

Delegate Olympio T. Borja: Mr. President, in line with the Rule Amendment No. 13 just adopted by the Convention, I would like to move for the adoption of the Summary Journals of the first and second days.

The motion was seconded.

Delegate Jose P. Mafnas: Mr. President, on page 3 of our Summary Journal of the First Day. Am I correct that the Vice-Chairman of the Committee on Personal Rights & Natural Resources is still Ramon Villagomez?

President Guerrero: For the information of the Delegates, yesterday I officially appointed Delegate Felix A. Ayuyu to be Vice-Chairman of that Committee. This morning I received a communication from Delegate Ayuyu saying that he reluctantly declined to be Vice-Chairman of that Committee. At this time I would like to inform the Delegates that I will delegate the authority to the Chairman of that Committee for them to elect their Vice-Chairman.

Motion to adopt the Summary Journals of the First and Second Days carried.

(11) SPECIAL ORDERS OF THE DAY - None

(12) GENERAL ORDERS OF THE DAY - None

(13) ANNOUNCEMENTS

Convention Secretary: Mr. President, I would like to announce that the three substantive committees will meet immediately following our recess. The following rooms have been assigned for their meetings: The Committee on Governmental Institutions will meet in the Convention Hall. The Committee on Personal Rights & Natural Resources will meet in the Keio Room. And the

Committee on Finance, Local Government and Other Matters will meet in the room at the back of the Convention Hall.

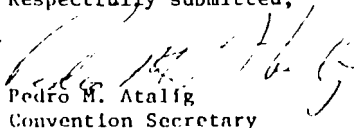
I would also like to announce that coffee and hot tea will be provided to the Delegates at the expense of fifty cents (50¢) per day per Delegate.

Floor Leader Raza: Mr. President, there being no further business, I move that the Convention recess until ten o'clock tomorrow morning.

The motion was seconded and carried.

The Convention recessed at 9:30 a.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

FOURTH DAY  
Thursday, October 21, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 10:10 a.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 39 Delegates present. No Delegates were excused or absent.

(4) ADOPTION OF THE SUMMARY JOURNAL

Floor Leader Rasa moved that the Convention Rule of Procedure No. 68(a) be temporarily suspended. The motion was seconded and carried.

Floor Leader Rasa moved to amend Rule 38 of the Rules of Procedure to include "Adoption of the Journal" to appear between item (c) "Roll Call" and item (d) "Reports of Committees." The motion was seconded and passed.

Floor Leader Rasa moved for the adoption of the Summary Journal of the Third Day. The motion was seconded and carried.

(5) MISCELLANEOUS COMMUNICATIONS

Secretary Atalig: Mr. President, we have two Communications this morning. The first is a memorandum to all Convention Delegates from the Convention President, attaching a memorandum from Pedro Tenorio, Director of the Office of Transition and Planning, regarding "Compensation of Marianas Constitutional Convention Delegates." The second Communication is a memorandum to all Convention Delegates from the Convention President concerning "Speeches Given on the Convention Floor." Both memorandums are self-explanatory and have been given to all Delegates.

Delegate Pedro Dela Cruz: Mr. President, after going over the correspondence from the Director of OTSP I have some statements or comments to make regarding the per diem rate and section 2 and section 3. I realize the legality of the per diem rate, as well as the per diem allowance for off-island Delegates, and let me say that I have no quarrel about that. We who are the subject here, being off-island Delegates, do not protest the per diem rate. However, going down to Section III, sub-section 1, where it says, "Each delegate is entitled to one roundtrip transportation except delegates who are employees of the GNMI and whose duty station is Saipan." I feel that is a grossly unfair situation. We might be required to go down to Rota to confer with our constituents. And I think that, in all fairness, that has to be done. If I have to perform the function and responsibility as a Delegate, I feel the Convention should put out the expense of the transportation ticket. I do not feel that I should be using my own financial resources for this matter.

Convention Secretary: Mr. President, to respond to that statement, you know the rationale for the per diem and you know your duty station is here in Saipan. If you are going to Rota on Committee business, I don't think there will be any problem. But for you to go on your own personal business, I don't think the Convention should cover the expense of the ticket.

Delegate Pedro Dela Cruz: When I have to go down to pursue and to discuss matters with my constituents, I think that is Convention business. That is not personal business.

Convention Secretary: Delegate Dela Cruz, if you will come and see me we can clear this up.

Delegate Dela Cruz: Mr. President, this has been discussed previously and I feel the Floor should decide on this.

Delegate Gregorio Calvo: I have to agree with Delegate Dela Cruz, Mr. President. After the Convention I think it is right that we take whatever we have here down to Rota. We feel that is still Convention business even though it is after the Convention. We have to take to our people what has been done here.

Delegate Jose R. Cruz: Mr. President, I just want to inform the Convention that during the Pre-Convention Committee meetings we discussed this briefly. Delegate Ben Manglona and other members of the Pre-Convention Committee were involved in this discussion. To be truthful, I am somewhat surprised to see this communication before us this morning because we informed the OTSP office that the Delegates from other islands are required from time to time to return to their respective municipalities for consultation purposes. It is unlike Delegates from Saipan because they live here and they represent the people here. In the case of Rota, Tinian, and even perhaps the Northern Islands, the Delegates are required to return to their respective areas for consultation. Therefore, Mr. President, I think it would be wise after the session to see the Secretary and settle this internal problem once and for all.

Delegate Hilario Diaz: Mr. President, I wholeheartedly agree with the Delegate from Rota. I also feel that we are obligated to consult with our constituents on Tinian. I therefore request that this particular matter be reconsidered.

Convention Secretary: Mr. President, one of the reasons why we hired the Administrative Assistants was for them to serve as Public Information Officers. It seems that the Delegates are wanting perhaps a roundtrip ticket every week. I must be blunt. The budget does not cover this. We might be in the red if we persist in trying to overspend.

Delegate Felipe Atalig: I think it appears that the matter is more a problem directed to Rota and Tinian. I therefore suggest, Mr. President, that we should go ahead and discuss the rest of the agenda of the house. This should be discussed later on by their respective leaders with our Secretary.

Delegate Benjamin Manglona: Mr. President, I consider this problem to be a communication problem. I agree with Delegate Atalig that we should proceed with the other items on our agenda of business. I will take up this matter with my Delegation and also with the office of OTSP.

Delegate Pedro Dela Cruz: Mr. President, if this cannot be resolved I feel the President should enter this case. Also, I have the feeling that somebody is just ramrodding things down to us.

President Guerrero: I can assure the Delegates that we will study and thoroughly discuss with the Pre-Convention Chairman what commitment was made by the office of OTSP. And we will discuss this matter with the Director. I suggest we proceed with our agenda.

Floor Leader Rasa: Mr. President, I would like to inform the Delegates that under "Miscellaneous Communications" Robert's Rules of Order, the newly revised edition, debate of issues is restricted. I suggest that if there are any problems, they should be directed to the appropriate body.

(6) COMMITTEE REPORTS

Chairman Mafnas: Mr. President, may I respectfully submit my report and ask that it be read by the Secretary.

President Guerrero: Please read the report, Mr. Secretary.

The Committee Report, as read by the Secretary, was as follows:

"Mr. President, your Committee on Governmental Institutions met yesterday and made substantial progress in considering matters dealing with the Judicial branch of government. The Committee will meet today to consider a draft report and constitutional article pertaining to Washington representation. Tomorrow the Committee will turn to the subject of the Legislative branch of government.

"The members of your Committee on Governmental Institutions are working well together and are making good progress towards completing the Committee's assignment. Thank you, Mr. President."

Chairman Fitial: Your Committee on Finance, Local Government and Other Matters met yesterday for a total of five hours and has completed its deliberations on a very important provision to be incorporated in the Constitution, Mr. President, namely, Constitutional Amendments. The exact constitutional language for this particular provision is being drafted by the legal consultants and will be reviewed by your Committee, hopefully, today. If not today, definitely it will be reviewed tomorrow, Mr. President. Also, your Committee is very confident that this particular provision will be ready for consideration by the Convention Committee of the Whole by the end of this week. Mr. President, I want the record to show that the membership of your Committee is fully participating and actively deliberating on this particular issue. I also want the record to show that very careful analysis of this provision has been made. We will be meeting today to discuss and review this matter, and also to take up another very important provision, namely, Education.

Chairman Atalig: Your Committee on Personal Rights & Natural Resources has completed their deliberations on Eligibility to Vote, Election Procedures, and Initiative, Referendum and Recall. I would like to note that the report has been given to the Committee members and I urge the members to review carefully their report. I found out in the first glance that there has been so many deletions and additions in the report, Mr. President, that have not been discussed by the Committee members. I therefore urge the President of this Convention to please provide some sort of recording system for the Committees whereby the matters discussed would be kept accurately.

President Guerrero: Your point is well taken, Chairman Atalig. I suggest, of course, that all Committee Reports be thoroughly discussed before presentation to this Convention.

Delegate Ramon Villagomez: Chairman Atalig mentioned that a lot of points were changed in our Committee Report. I think it is not very accurate to just stop at that point. I think we should also realize that the consultant who drafted this report was given a very short time. We asked to have this report completed by this morning at eight o'clock and they were under a great deal of pressure by lack of time. I think we should take that into consideration. There is an understanding that this report will be reviewed by the Committee so that there may be additions or corrections. So, that is a problem, but it is not that serious a problem. Thank you, Mr. President.

Chairman Atalig: Mr. President, in response to Delegate Villagomez, I want the record to reflect that the report submitted this morning is a reflection of my observations on the glance that I had at the report. I see no reason that there should be substantive changes or deletions on the report.

President Guerrero: As I pointed out earlier, Chairman Atalig, that matter should be discussed thoroughly with your Committee and the legal consultant that is rendering service to that Committee.

#### (7) INTRODUCTION OF PROPOSALS

Delegate Jose R. Cruz introduced and read Delegate Proposal No. 02, entitled "Proposal Regarding Taxation and Finance."

Delegate Pedro Igitol introduced Delegate Proposal No. 03, entitled "Proposal Regarding the Judicial Branch of Government." The Convention Secretary read the Proposal.

Delegate Francisco T. Palacios introduced Delegate Proposal No. 04, entitled "Proposal Regarding the Protection of the Culture of the Northern Mariana Islands."

Delegate Francisco T. Palacios introduced Delegate Proposal No. 05, entitled "Proposal Regarding the Practice of Traditional Medicine."

Delegate Antonio M. Camacho introduced Delegate Proposal No. 06, entitled "Proposal Regarding Executive Branch of Government." It was read by the Secretary.

Delegate Ramon G. Villagomez introduced and read Delegate Proposal No. 07, entitled "Proposal Regarding the Executive Branch of Government."

Delegate Ramon G. Villagomez introduced and read Delegate Proposal No. 08, entitled "Proposal Regarding Statutes of Limitations in Land Matters."

Delegate Ramon G. Villagomez introduced and read Delegate Proposal No. 09, entitled "Proposal Regarding Special Court to Deal with Land Matters."

(8) FIRST READING OF PROPOSALS - None.

(9) REFERRAL OF PROPOSALS

Delegate Proposal No. 01, entitled "Proposal Regarding the Executive Branch of Government.", was assigned to the Committee on Governmental Institutions.

(10) SECOND AND FINAL READING OF PROPOSALS - None.

(11) MOTIONS AND RESOLUTIONS - None.

(12) UNFINISHED BUSINESS - None.

(13) SPECIAL ORDERS OF THE DAY - None.

(14) GENERAL ORDERS OF THE DAY - None.

(15) ANNOUNCEMENTS

Chairman Mafnas announced that the Committee on Governmental Institutions would meet immediately after the session in the Convention Hall.

Chairman Atalig announced that the Committee on Personal Rights & Natural Resources would meet at one o'clock in the same room where they had been meeting.

Chairman Fitial announced that the Committee on Finance, Local Government and Other Matters would meet immediately following the session in the Convention Hall back area.

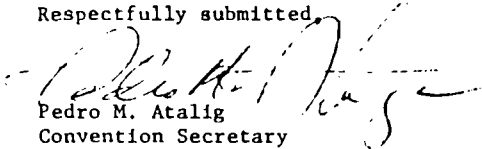
President Guerrero announced that there would be a meeting of the Committee on Organization and Procedures in the Office of the President at 1:00 p.m.

Floor Leader Rasa: Mr. President, there being no further business, I move that the Convention recess until ten o'clock tomorrow morning.

The motion was seconded and carried.

The Convention recessed at 10:40 a.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

FIFTH DAY  
Friday, October 22, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 10:30 a.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 39 Delegates present. No Delegates were excused or absent.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: Mr. President, I move for the adoption of the Summary Journal of the Fourth Day.

The motion was seconded.

Delegate Felipe Atalig: Mr. President, I would like to call the attention of the Delegates to Page 1, under item (5) "Miscellaneous Communications", paragraph 3. There seems to be some typographical error here in that "miscellaneous communications" was deleted. The sentence should read "Floor Leader Rasa suggested that since Robert's Rules of Order, Revised Edition, restricts debate on miscellaneous communications, any problem should be directed to the appropriate body." I would like that correction to be made.

President Guerrero: It is so ordered.

The motion carried. The Summary Journal of the 4th Day was adopted.

(5) MISCELLANEOUS COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Fitial: Mr. President, today your Committee on Finance, Local Government and Other Matters happily presents its report on the Constitutional Amendment provision. It is a fourteen page report and I would like to submit it for the record and incorporation into the Journal. Copies are available for distribution to all members of the Convention.

President Guerrero: At this time I would like to announce that some of our Committee Reports are pending and the reason for it is that our Xerox machine is out of order again this morning. We can resolve back to this matter again when copies of the reports are available.

Chairman Fitial: Mr. President, just for the record, your Committee on Finance, Local Government and Other Matters completed deliberations on another very important provision, that of Education, yesterday. The exact constitutional language of this provision is being drafted and will be ready for your Committee's consideration, hopefully, today. Thank you, Mr. President.

(7) and (8) INTRODUCTION AND FIRST READING OF PROPOSALS

Delegate Felipe Q. Atalig introduced Delegate Proposal No. 10, entitled "Proposal Regarding Land." The title of the Proposal was read by the Secretary.

Delegate Felipe Q. Atalig introduced Delegate Proposal No. 11, entitled "Proposal Regarding Nurses and Teachers." The title was read by the Convention Secretary.

Delegate Felipe Q. Atalig introduced Delegate Proposal No. 12, entitled "Proposal Regarding Traditional Custom." The title was read by the Secretary.

Delegate Felipe Q. Atalig introduced Delegate Proposal No. 13, entitled "Proposal Regarding Official Holidays." The title was read by the Secretary.

Delegate Pedro M. Atalig introduced and read Delegate Proposal No. 14, entitled "Proposal Regarding Conflicts of Interest."

Delegate David Q. Maratita introduced and read Delegate Proposal No. 15, entitled "Proposal Regarding the Legislative Branch of Government."

Delegates Benjamin T. Manglona, Jose R. Cruz, Pete Ogo, Prudencio Manglona, Esteven King, Vincente Manglona, Henry Hofschneider, Hilario Diaz, Pedro Dela Cruz, Pedro Atalig, Leon Taisacan, Gregorio Calvo and David Atalig introduced Delegate Proposal No. 16, entitled "Proposal Regarding the Executive Branch of Government."

Delegates Benjamin T. Manglona, Jose R. Cruz, Pete Ogo, Prudencio Manglona, Vicente Manglona, Pedro Atalig, Esteven King, Pedro Dela Cruz, David M. Atalig, Gregorio Calvo, Leon Taisacan and Hilario Diaz introduced Delegate Proposal No. 17, entitled "Proposal Regarding the Legislative Branch of Government."

President Guerrero: Recognize Delegate Benjamin T. Manglona.

Delegate Benjamin T. Manglona: Mr. President and Fellow Delegates. On Monday, at the opening day of our historic Convention, I addressed this honorable body on behalf of the Rota Delegation. As you may recall, the momentum of my opening remarks was centered on the subject of unity and justice. As I sit in this Convention in the last four days, I sense this feeling of unity - I sense this feeling of justice amongst the Delegates.

Fellow Delegates, the real test is now. In the days ahead we will prove the workability of this test.

Today our Delegation is pleased to introduce two Delegate Proposals on two very important issues to be deliberated and to be resolved by this Convention.

Our Delegation has met and discussed several issues of concern to the people of our municipality, who desire to secure adequate representation in the new Government of the Commonwealth of the Northern Mariana Islands. For the purpose of background and as prelude to further discussion and deliberation on topics of critical importance to our people of Rota, our Delegation have cast tentative decisions on the following issues.

*See previous papers*

I. EXECUTIVE BRANCH OF GOVERNMENT

A. Structure

In pursuit of the goal that is shared by Rota and Tinian municipalities of taking a firm role in the conduct of the new Government of the Northern Mariana Islands, our Delegation proposes the following executive branch structure: an elected Governor (elected at-large, Commonwealth-wide); one elected Vice-Governor (elected at-large, Commonwealth-wide); two elected Lieutenant-Governors (elected at-large, within the respective municipalities, Rota and Tinian). It is the view of our Delegation that since the Governor shall exercise general supervisory power over the Commonwealth, and because the Vice-Governor shall succeed as Governor in the event of a vacancy in that office during the term of the incumbent, both the Governor and the Vice-Governor should be elected from the qualified voters of the entire Commonwealth. Accordingly, since the Lieutenant-Governor shall represent the interests of Rota and Tinian municipalities within the Commonwealth Government, they should be elected from the qualified electors of their respective municipalities.

Our Delegation desires that, in order to ensure that the interests of Rota and Tinian municipalities are fully represented in the executive decision making process, the Lieutenant-Governor be accorded a position in the Governor's council or cabinet. The accessibility to the Governor will enable the views of the people of Rota and Tinian to be presented effectively within the Executive Branch of the Commonwealth.

B. Budget

Our Delegation, in furtherance of our desire to allow Rota and Tinian



municipalities a degree of local autonomy, proposes that the Lieutenant-Governor be allowed to participate actively in the preparation of the budget and its presentation to the legislature of the Commonwealth of the Northern Mariana Islands. It is the view of our Delegation that one method of achieving this objective would permit the Lieutenant-Governor to submit to the Governor's budgets for services to be delivered on Rota and Tinian for coordination with all other budgetary matters in one executive budget that will be submitted to the legislature. Upon legislative approval, the responsibility for supervising on implementation of the financial programs approved by the legislature for Rota and Tinian shall lie with the Lieutenant-Governor.

## II. LEGISLATIVE BRANCH OF GOVERNMENT

Our Delegation proposes the following with respect to the legislative branch of government:

cut back  
to 3-3-5

- a. 4-4-4 combination in the upper house;
- b. retain the same number of representation of the Northern Mariana Islands Legislature in the lower house
- c. appropriations originate in the lower house and are approved in the upper house
- d. governmental appointments with the advice and consent of the upper house
- e. any member of the upper house of the legislature may introduce a bill or resolution pertaining exclusively to the needs and interests of the island that he represents and which will have application only in such islands
- f. prior to acting on any bill submitted by a member of the upper house, the Governor shall consult with the Lieutenant-Governor of the island concerned.

Mr. President and Fellow Delegates, this concludes our justification in our proposal. In the next few days of this Convention, our Delegation is more than pleased to cooperate with individual delegates, committees and this Convention in considering our Delegation's proposal.

In closing, our Delegation wishes to seek your understanding and full endorsement of our proposal. Thank you.

President Guerrero: We will continue with Introduction of Proposals.

Delegate Oscar C. Rasa introduced and read Delegate Proposal No. 19, entitled "Proposal Regarding the Executive Branch of Government."

Delegates Gregorio Calvo, Benjamin Manglona, Prudencio Manglona and David Atalig introduced Delegate Proposal No. 20, entitled "Proposal Regarding Health Services and Social Welfare." The text was read by Delegate Calvo.

Delegates Jose R. Cruz, Hilario Diaz, Henry Hofschneider, Esteven King and Vicente Manglona introduced Delegate Proposal No. 21, entitled "Proposal Regarding Agiguan Island." The proposal was read by Delegate Henry Hofschneider.

Delegate Oscar C. Rasa introduced and read Delegate Proposal No. 22, entitled "Proposal Regarding the Legislative Branch of Government."

Delegates Leon Taisacan and Ramon Villagomez introduced Delegate Proposal No. 23, entitled "Proposal Regarding Disposition of Public Lands." The text was read by Delegate Villagomez.

Delegate Pedro Igitol introduced Delegate Proposal No. 24, entitled "Proposal Regarding Eminent Domain."

Delegate Olympio T. Borja introduced and read Delegate Proposal No. 25, entitled "Proposal Regarding Bill of Rights."

Delegate Olympio T. Borja introduced and read Delegate Proposal No. 26, entitled "Proposal Regarding Eminent Domain."

Delegate Olympio T. Borja introduced and read Delegate Proposal No. 27, entitled "Proposal Regarding Eminent Domain."

Delegate Olympio T. Borja introduced and read Delegate Proposal No. 28, entitled "Proposal Regarding the Status of the Constitution."

President Guerrero: Recognize Chairman Jose P. Mafnas.

Chairman Jose P. Mafnas: May we temporarily suspend the Order of Business and move back to item number 6, Committee Reports.

President Guerrero: So ordered.

Chairman Jose P. Mafnas: Mr. President. On behalf of the Committee on Governmental Institutions, I have the honor to offer the Committee's unanimous Recommendation No. 1. The Committee's submission includes proposed draft constitutional provisions and a report setting forth the Committee's reasons for recommending those provisions.

In brief, the Committee recommends that the Washington representative be popularly elected and, at least at the outset, serve a two-year term. Under the Committee's recommendation, the representative must be at least 30 years old, a qualified voter in the Northern Marianas, and have been domiciled and have resided in the Commonwealth for the ten-year period immediately preceding his election. Persons convicted of felonies in the Northern Marianas or in any area under the jurisdiction of the United States would be ineligible for election as representative.

The Committee's recommended provision would require the representative to report annually to the Governor and Legislature, to represent the Commonwealth in the United States, and to perform those related duties which are assigned to him by law. The representative would be entitled to adequate compensation.

Mr. President, the Committee on Governmental Institutions respectfully requests that the Convention do the following:

1. Adopt this Committee report and Committee Recommendation Number 1; and
2. Schedule the matter for discussion by the Convention at an early date.

Thank you, Mr. President.

President Guerrero: Recognize Chairman Benigno Fitial.

Chairman Fitial: Thank you, Mr. President. Regarding the report from your Committee on Finance, Local Government and Other Matters, I would like to insert a few remarks for the verbatim Journal. The remarks submitted are as follow:

Your Committee on Finance, Local Government and Other Matters happily presents its report on its recommendation for an article of the Constitution on Constitutional Amendment and the accompanying Committee Report for introduction and first reading.

The recommendation proposes that the Constitution of the Commonwealth of the Northern Mariana Islands can be amended in the future by Constitutional Convention, legislative initiative, or popular initiative with the ratification of the voters at a regular general election. In this way our historic Constitution can be reviewed in the future. And if additional changes are needed, they can be made or added through the Constitutional amendment process.

Your Committee's recommendation, if they are adopted and made a part of our Constitution, will assure that in the future there is a very careful consideration of any needed changes. Further, such changes would be adopted only with the approval of the people, i. e., by ratification by the voters, at a regular, general election.

(9) REFERRAL OF PROPOSALS

Delegate Proposal No. 02, entitled "Proposal Regarding Taxation and Finance," was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 03, entitled "Proposal Regarding the Judicial Branch of Government," was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 04, entitled "Proposal Regarding the Protection of the Culture of the Northern Mariana Islands," was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 05, entitled "Proposal Regarding the Practice of Traditional Medicine," was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 06, entitled "Proposal Regarding Executive Branch of Government," was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 07, entitled "Proposal Regarding the Executive Branch of Government," was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 08, entitled "Proposal Regarding Statutes of Limitations in Land Matters," was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 09, entitled "Proposal Regarding Special Court to Deal with Land Matter," was referred to the Committee on Governmental Institutions.

(10) SECOND AND FINAL READINGS OF PROPOSALS - None.

(11) MOTIONS AND RESOLUTIONS

President Guerrero: Recognize Delegation Benigno Fitial.

Delegate Benigno Fitial: Mr. President, I would like to offer the following resolution. That Rule 54 be amended by substituting the date of October 29, 1976, for the date of November 25, 1976, and that the contents of Rule 54 be amended to read: "No delegate proposal shall be introduced after October 29, 1976, except with the unanimous consent of the Convention."

Mr. President, adopting this would mean that all Delegate Proposals would have to be submitted by one week from today. Under the Provisions of Rule 68 this would required five (5) days notice before this Convention can take action. The purpose of this proposal is to encourage all the Delegates to offer their Proposals promptly. We all know this Convention has a very short time to finish its work. Only 45 days are left until December 6th. The work of the Convention is being done largely by the three Committees, Mr. President. Each of these Committees has adopted a tentative schedule for consideration of the matters assigned to it. The Delegates must recognize that Delegate Proposals must be considered promptly by the careful consideration of the Committee. It is not my purpose to prevent any Delegate from expressing his or her view on any subject relevant to our proposed Constitution. There are at least three ways in which this can be done. First, any Delegate can make a Proposal until October 29, 1976. Second, any Delegate at anytime can present his view to the responsible Committee regarding any matters and consideration. Third, any Delegate can offer an amendment on the floor to any Committee Recommendation with which he does not agree.

In view of these safeguards, Mr. President, I urge the Convention to adopt this proposed amendment to the Rules. Thank you.

Floor Leader Rasa: Just a point of information. Do I understand that Chairman Fitial wishes this resolution be treated as a motion?

Chairman Benigno Fitial: No, I was just presenting my views on the proposed Rule Amendment.

Floor Leader Rasa: I understand that, Mr. President. If that is the case then I wish to make the following motion: I move that Convention Rule 68(a) be suspended.

The motion was seconded and carried to suspend temporarily Rule 68(a).

Floor Leader Rasa: I move the Resolution introduced by Chairman Fitial be treated as a motion.

The motion was seconded and passed that Rule 54 be amended.

President Guerrero: Recognize Chairman Jose P. Mafnas.

Chairman Jose P. Mafnas: Mr. President. I move that Committee Report from the Committee on Governmental Institutions, No. 01, regarding "Washington Representation" be adopted.

The motion was seconded.

Chairman Benigno Fitial: Point of Information. The Chairman of a Committee cannot move to adopt his own Committee's Report.

President Guerrero: I believe with the concurrence of the Delegates we can recognize the Chairman's motion.

The motion was carried by voice vote to accept the Committee's Report.

Chairman Benigno Fitial: I would like to move for the acceptance of my Committee Report.

The motion was seconded.

President Guerrero: Recognize Floor Leader Raza:

Floor Leader Raza: May I request that the word "my" be deleted and the word "your" substituted.

President Guerrero: So ordered.

Delegate David Q. Maratita: Is the motion before the Convention to adopt, in its entirety, the recommendation of the Committee for inclusion by the Convention?

Delegate Felipe Atalig: I want to refer to the Chair that Chapter 3, Number 1, requires that the Delegate from Garapan is to rise before being recognized.

President Guerrero: Recognize Delegate Cruz from Tinian.

Delegate Jose R. Cruz: Mr. President, I do not have a copy of the Committee Report made by Chairman Fitial, which is under motion for acceptance.

Chairman Benigno Fitial: Your Committee Report is available for distribution. I do not see any reason why it has not yet been distributed.

President Guerrero: May I ask the Secretary to distribute that Report before we vote on the motion.

Secretary Atalig: Mr. President. May we have a 5 minute recess so the copies of the Committee Reports can be distributed to all Delegates.

The President ordered the recess.

The Convention recessed at 11:12 a.m.

RECESS

The Convention reconvened at 11:22 a.m.

President Guerrero: We still have a motion on the floor, which was made by Chairman Benigno Fitial for the Committee on Finance, Local Government & Other Matters.

Recognize Delegate Olympio T. Borja.

Delegate Olympio T. Borja: Mr. President. Point of information, please. I believe taking a motion on any Committee Report at this time is not only inconsistent with our Rules, but not to the advantage of the Delegates since we would have to adopt each one individually. I think we should accept the report and place it on the calendar under General Orders so that we can resolve to the Committee of the Whole and move for adoption instead of moving now for each adoption and then again, on the following day, taking up the same thing.

*Resolved  
pending for  
adoption*

I believe it would be better to accept this and place it on a calendar for deliberation and adoption by the Committee of the Whole. In the interest of expediency, I believe that we should change the motion to say "accept the Report and place it on the calendar" instead of "adoption" at this time. Thank you.

President Guerrero: I believe, Delegate Borja, that is the intention of the motion.

Would the Secretary please read the motion made by Chairman Fitial.

The motion was read and a voice vote was taken and carried to accept the Report from the Chairman of the Committee on Finance, Local Government & Other Matters.

(12) UNFINISHED BUSINESS - None.

(13) SPECIAL ORDERS OF THE DAY

President Guerrero: At this time I would like to announce that the two Committee Reports and Committee Recommendation presented earlier in the session will be placed on the calendar of business for tomorrow so that the Committee of the Whole can have discussion.

Recognize Delegate David Maratita.

Delegate David Maratita: Point of privilege, Mr. President. Regarding Introduction of Proposals and Recommendation of Committees, I wonder if the Committee submitting the Recommendation is in line with Rule 54 of our Procedures. In other words, the Committee is submitting its recommendations on a proposal. Will this be on the calendar under "General Orders?" On "Introduction of Proposals", will that be taken up by Delegates or Committees at that time?

Chairman Jose P. Mafnas: The purpose of adopting a Committee Report, Mr. President, is not passage of that report; it is merely to insert in the record that such report becomes property of the Convention.

Delegate David Maratita: Mr. President, I am not questioning whether or not the Committee Report should be adopted by the Convention. I am just concerned whether on the Order of the Day, "Introduction of Proposals", is that by Delegate or by Committee?

President Guerrero: According to Rule 54, "Introduction of Proposals", includes Delegate Proposals and Committee Recommendations.

Floor Leader Ranaa: There can be no report without having first some proposals, and a report is a justification of a proposal. So, a Report or a Recommendation by a Committee is a proposal in itself.

Delegate David Maratita: As we look at the various Committee Reports, they are making recommendations as to the provision in the Constitution. That is the point I am raising now, whether or not Introduction of Proposals by Committees should be done on the Order of the Day under "Introduction of Proposals" either by Delegate or by Committee.

The Committee Report that was just adopted was a proposal within itself, and was this introduced according to Rule 54? Mr. President, there is no "Committee Recommendation" on the Order of the Day. We have only "Introduction of Proposals by Delegates," but no "Introduction of Proposals by Committee."

Delegate Olympio T. Borja: I feel we are consistent with Rule 54 and that is, any Proposal submitted by a Delegate should be considered a Delegate Proposal and Recommendations submitted by the Committee should be considered Recommendations. We have adopted two Recommendations from Committees to be placed on tomorrow's calendar for Committee of the Whole deliberations. If you will note in Rule 55, this is the procedure to be followed. First accept the Committee's Recommendations and place this on the calendar for discussion under General Orders of the Day by the Committee of the Whole.

President Guerrero: That is correct, Delegate Borja. The two Committee Reports have been placed on the calendar under General Orders of the Day for deliberation by Committee of the Whole.

Delegate Jose R. Cruz: Rule number 54 simply allows for a Delegate or a Committee to submit its report, but it does not provide a provision for this body to adopt such proposal.

Delegate Olympio T. Borja: In line with the point raised by Delegate Cruz and Delegate Maratita, item 11, on the Order of Business. "Motions and Resolutions" is where we should accept the Report and place it for tomorrow.

(14) GENERAL ORDERS OF THE DAY

President Guerrero: Privilege of the Floor is given to Delegate Leon I. Taisacan from Rota.

Delegate Leon I. Taisacan: Mr. President and Fellow Delegates. My remarks are in support of the Proposal just introduced by Delegate Benjamin Manglona this morning.

I, like many people of the Northern Mariana Islands, both in this room and elsewhere, would like to add my approval to the ideas and goals espoused by Delegate Benjamin Manglona. The Delegates to the Constitutional Convention have undertaken a solemn duty to prepare the fundamental document for the people of all the Northern Mariana Islands. Although inequities have existed in the past and perhaps will continue to exist in the future, it should be our desire -- indeed, it is our duty -- to ensure that the voices of those who have suffered the past wrongs are not lost. These voices must and will be heard in our new government. It is of the utmost importance, Mr. President, that the goals envisioned by Delegate Manglona are given effect and that the proposals that he has offered to the Convention are given our approval. If the Delegates to this Convention do no more than assure the adequate representation of those who have not been heard in the past, then this effort will be one of the greatest triumphs in our island group's history. Thank you.

President Guerrero: Any more speeches to be given this morning?

Recognize Delegate Juan DLG. Demapan.

Delegate Juan DLG. Demapan: Mr. President and Fellow Delegates. It is with heavy heart and grave concern that I feel obligated to register my deep disappointment with the direction our Constitutional Convention seems to be taking.

On Monday, October 18, 1976, the opening day, most of the speakers emphasized the need for this Convention to approach the grave task ahead with open minds and dedication to the cause of our people to the end that the Constitution that it is our duty to draft and submit to the people is one designed to serve the best interests of all our people now and in the future.

The speakers stressed the need for good will, hard and thoughtful work, but above all, they recognized the absolute necessity to put aside all political partisanship during our deliberations. Were these only words? Unfortunately, I am led to believe so.

If the selection of committee leadership is any indication, then I am forced to the conclusion that political affiliation and considerations will play a large part in the days ahead. No one will convince me that it was not possible to find a single minority party member to chair one single committee. All committees, without exception are chaired by members of the majority party.

Please be assured that my disappointment does not lie in the fact that I was not selected to head-up a committee, far from it; but I do know and so does everyone here that there are several delegates from the minority party who are more than qualified. Why were they overlooked if it was not because of their party affiliations?

Where is the spirit, unity and nonpartisanship that was urged upon us in opening day speeches? Where is the good will and solidarity of effort we were advised to practice?

If our conduct of the past few days is indicative of the future then we will have betrayed the trust placed in us by the people.

Let us bear in mind that we are working, not only and primarily for ourselves but for our people, our children and for future generations. We dare not fail them.

Let our deliberations and decisions be based always on what is the greatest good for the greatest number.

I, for one pledge myself to put aside any and all political considerations in the pursuit of my sacred duties here.

I exhort you all to do likewise. Posterity will bless us or curse us according to the quality of the work we do here on their behalf. Thank you.

President Guerrero: Recognize Delegate Jose R. Cruz.

Delegate Jose R. Cruz: Mr. President and Fellow Delegates. I just want to endorse the remarks made to this Convention earlier by the Delegation from Rota. I am in support of their Proposal and I would also like to urge this Convention to take into serious consideration the remarks made by Delegate Demapan. Thank you.

President Guerrero: Recognize Chairman Felipe Atalig.

Chairman Felipe Atalig: Thank you, Mr. President. Just for the record I disagree with the statement made by Delegate Juan DLG. Demapan.

(15) ANNOUNCEMENTS

Chairman Benigno Fitial: The Committee on Finance, Local Government and Other Matters will be meeting immediately following this session in its usual meeting place in the area behind the Convention Hall.

Chairman Jose P. Mafnas: Mr. President, your Committee on Governmental Institutions will be meeting at 2:00 p.m. this afternoon in the Convention Chamber.

Chairman Felipe Atalig: My Committee is well-informed as to the time and place of their meeting.

Delegate Joaquin Torres: I move that this Convention recess until 2:00 p.m. tomorrow, October 23, 1976.

President Guerrero: Recognize Delegate Jose R. Cruz.

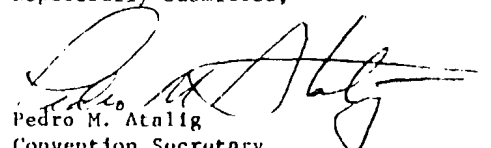
Delegate Jose R. Cruz: I would like to ask a question for planning purposes. Is this weekend and Monday a holiday?

President Guerrero: According to the law which created the Convention, Section 9, this Convention will meet for 50 consecutive days and it will meet for 50 consecutive days.

The motion to recess was seconded and carried.

The Convention recessed at 11:45 a.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

SIXTH DAY  
Saturday October 23, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:05 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 33 Delegates present. Delegates Felipe Q. Atalig, Olympio T. Borja, Carlos S. Camacho, Daniel P. Castro, Juan DLG. Demapan and Herman Q. Guerrero were excused. A quorum was present.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: Mr. President, I move for the adoption of the Summary Journal of the 5th Day.

The motion was seconded.

The Convention Secretary reported that there was a correction to be made on the second page, whereby Delegate Proposal No. 21 was read by Delegate Hofschneider.

The motion carried and the Summary Journal of the 5th Day was adopted.

(5) COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Benigno Fitial: Mr. President, your Committee on Finance, Local Government and Other Matters happily presents to the Convention its recommendations on the subject of Education, and its accompanying report on this subject.

This Committee has reviewed extensively the briefing papers and other documents pertaining to education, including provisions for our people of the Northern Mariana Islands. Quality education for our people is vital and should be encouraged at all levels, including elementary and secondary, higher education, as well as adult, vocational, and special educational programs.

The Committee recommends, Mr. President, that the Constitution state clearly that there shall be free, public and compulsory education in the Northern Mariana Islands. Further, that there shall be higher education within the needs and resources of our people.

Mr. President, we recognize that there are many matters pertaining to the provision and financing of education which will command the attention of the legislature, education authorities and officials of the Commonwealth Government. The proposed constitutional provisions set forth the high goals and aspirations for our people. We strongly recommend that the Convention and its Committee of the Whole consider and approve in principle the recommended constitutional provisions we hereby submit.

Thank you very much, Mr. President.

Chairman Mafnas: Your Committee on Governmental Institutions has no significant report to make at this time except that your Committee has met and tentatively come up with constitutional language on "Judicial" and "Legislative."

Vice Chairman Palacios: Mr. President, your Committee on Personal Rights & Natural Resources has three separate recommended Constitutional provisions for submission to the Committee of the Whole at this time. The first recommendation deals with eligibility to vote, the second with election procedures, and the third with initiative, referendum and recall. We have prepared reports



to the Committee of the Whole stating our Committee's reasons for proposing this Constitutional language. At this time I offer the Committee's three reports and ask that these reports be received by the Convention and that the Committee's proposed Constitutional provisions be placed on the calendar for discussion by the Committee of the Whole at the earliest possible date.

I would now move that the Convention acknowledge receipt of this report.

The motion was seconded.

President Guerrero: If there is no objection from the floor, it is so ordered.

(7) INTRODUCTION AND FIRST READING OF PROPOSALS

Delegates Pedro Q. Dela Cruz, Leon I. Taisacan, Pedro M. Ogo, David M. Atalig, Benjamin T. Manglona, Pedro M. Atalig, Gregorio S. Calvo, Benigno Fitial and Pedro Igitol introduced Delegate Proposal No. 29, entitled "Proposal Regarding Election Procedures." The Proposal was read by the Secretary.

Delegate Jose R. Cruz introduced and read Committee Proposal No. 30, entitled "Proposal Regarding the Official Language of the Commonwealth."

Delegate Jose R. Cruz introduced and read Committee Proposal No. 31, entitled "Proposal Regarding Trial by Jury."

Delegate David Q. Maratita introduced and read Committee Proposal No. 32, entitled "Proposal Regarding Local Government."

Delegates Pedro Q. Dela Cruz, Benjamin T. Manglona, Gregorio S. Calvo, Leon I. Taisacan, Prudencio T. Manglona, Pedro M. Atalig, Pedro M. Ogo and David M. Atalig introduced Delegate Proposal No. 33, entitled "Proposal Regarding the Executive Branch of Government." The Proposal was read by the Secretary.

Delegates Esteven M. King, Vicente M. Manglona, Henry U. Hofschneider and Hilario Diaz introduced Delegate Proposal No. 34, entitled "Proposal Regarding Governmental Institutions." The Proposal was read by Delegate King.

Delegates Esteven M. King, Vicente M. Manglona, Henry U. Hofschneider, Hilario F. Diaz and Benjamin Manglona introduced Delegate Proposal No. 35, entitled "Proposal Regarding Capital Improvement Funds." The Proposal was read by Delegate King.

Delegate Pedro Igitol introduced and read Delegate Proposal No. 36, entitled "Proposal Regarding the Office of Public Auditor."

Delegates Pedro Dela Cruz, Prudencio Manglona, Benjamin Manglona, Gregorio Calvo, Pedro Ogo, David Atalig, Leon Taisacan, Pedro Atalig, Benigno Fitial and Pedro Igitol introduced Delegate Proposal No. 37, entitled "Proposal Regarding Land Alienation." The Proposal was read by the Secretary.

Delegates Pedro Ogo, Prudencio Manglona, Jose Cruz, David Atalig, Pedro Dela Cruz, Pedro Atalig, Leon Taisacan and Benjamin Manglona introduced Delegate Proposal No. 38, entitled "Proposal Regarding Education." The Proposal was read by Delegate Ogo.

Delegate Francisco T. Palacios introduced and read Delegate Proposal No. 39, entitled "Proposal Regarding Members of the Medical and Dental Professions."

Delegate Francisco T. Palacios introduced and read Delegate Proposal No. 40, entitled "Proposal Regarding Taxation and Finance."

Delegates Manuel A. Tenorio, Vicente M. Manglona and Leon I. Taisacan introduced Delegate Proposal No. 41, entitled "Proposal Regarding Governmental Institutions." The Proposal was read by Delegate Tenorio.

Delegate Ramon G. Villagomez introduced Delegate Proposal No. 42, entitled "Proposal Regarding the Office of Comptroller." The Proposal was read by the Convention Secretary.

Delegates Pedro M. Atalig, Jose R. Cruz, Felix A. Ayuyu, Benjamin T.

Manglona, Prudencio T. Manglona, Pedro Q. Dela Cruz, David M. Atalig, Leon I. Taisacan and Gregorio S. Galvo introduced Delegate Proposal No. 43, entitled "Proposal Regarding Consumer Protection." The Proposal was read by the Convention Secretary.

Delegate Manuel A. Tenorio introduced and read Delegate Proposal No. 44, entitled "Proposal Regarding Education."

Delegate Manuel A. Tenorio introduced and read Delegate Proposal No. 45, entitled "Proposal Regarding Nomenclature for Government Offices."

#### REFERRAL OF PROPOSALS

Delegate Proposal No. 10, entitled "Proposal Regarding Land.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 11, entitled "Proposal Regarding Nurses and Teachers.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 12, entitled "Proposal Regarding Traditional Custom.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 13, entitled "Proposal Regarding Official Holidays.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 14, entitled "Proposal Regarding Conflicts of Interest.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 15, entitled "Proposal Regarding the Legislative Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 16, entitled "Proposal Regarding the Executive Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 17, entitled "Proposal Regarding the Legislative Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 18, entitled "Proposal Regarding Conflicts of Employment by Public Officials.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 19, entitled "Proposal Regarding the Executive Branch of Government.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 20, entitled "Proposal Regarding Health Services and Social Welfare.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 21, entitled "Proposal Regarding Agiguan Island.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 22, entitled "Proposal Regarding the Legislative Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 23, entitled "Proposal Regarding Disposition of Public Lands.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 24, entitled "Proposal Regarding Eminent Domain.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 25, entitled "Proposal Regarding Bill of Rights.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 26, entitled "Proposal Regarding Eminent Domain.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 27, entitled "Proposal Regarding Eminent Domain.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 28, entitled "Proposal Regarding the Status of the

Constitution.", was referred to the Committee on Finance, Local Government and Other Matters.

(8) SECOND AND FINAL READING OF PROPOSALS - None.

(9) MOTIONS AND RESOLUTIONS

Chairman Fitial: Mr. President, I move that the Convention adopt, or receive, the Committee Report and Recommendation No. 2 as reported by the Committee on Finance, Local Government and Other Matters, regarding "Education."

The motion was seconded and carried.

President Guerrero: Chairman Fitial, just for the record, is that supposed to be considered for First Reading today?

Chairman Fitial: To be placed on the calendar for tomorrow, or whenever you feel, Mr. President.

President Guerrero: You are requesting the Chair to calendar the Committee's Report?

Chairman Fitial: Yes, and at the same time for the Convention to accept the Report.

Vice-Chairman Palacios: Mr. President, what happened to my motion? I moved that your Committee's Proposal be received by the Convention.

President Guerrero: May I call on the Floor Leader.

Floor Leader Rasa: Mr. President, if I may. I think it would be most appropriate if we adopt a Committee's Report under "General Orders of the Day." Before adopting it we should go into Committee of the Whole. After Committee of the Whole we rise, and the Committee of the Whole will make a recommendation to the Convention. After that we go back to motions and we move that all those motions, all those Reports be adopted.

President Guerrero: Is that clear, Delegate Palacios?

Vice-Chairman Palacios: Yes.

(10) UNFINISHED BUSINESS - None.

(11) SPECIAL ORDERS OF THE DAY - None.

(12) GENERAL ORDERS OF THE DAY

Floor Leader Rasa: Mr. President, I move that the Convention now resolve itself into the Committee of the Whole in order to consider Committee Recommendation No. 1 from the Committee on Finance, Local Government and Other Matters, regarding "Constitutional Amendment," and to consider Recommendation No. 1 from the Committee on Governmental Institutions, regarding "Washington Representative."

The motion was seconded and carried. The Chair requested that Delegate David Maratita preside.

The Convention resolved into the Committee of the Whole at 2:30 p.m.

The Convention reconvened in Plenary Session at 3:56 p.m.

President Guerrero: The meeting is now called to order again. I will receive the report of the Committee of the Whole.

Chairman Maratita: Mr. President, your Committee of the Whole is pleased to report back to the Convention that it has acted on the two proposals as presented to it, one from the Committee on Governmental Institutions and the other from the Committee on Finance, Local Government and Other Matters. Your Committee has debated on two particular Recommendations. One was the Constitutional Amendment and your Committee is pleased to report that the Committee has adopted the Committee's recommendation with an amendment to the Report on the draft Article. Your Committee has also adopted the Recommendation from the Governmental Institutions Committee on Washington Representative.

Chairman Fitial: Mr. President, I move that we place these two Committee Reports along with the Recommendations for Second and Final Reading.

The motion was seconded.

President Guerrero: Any specific date?

Chairman Fitial: At your discretion, Mr. President.

Delegate Jose R. Cruz: Point of information, Mr. President. Could I ask the Floor Leader for some directions on this, as to whether or not we could dispose of this on Final Reading today. If we can do it, and there is no objection, why not do it today?

Floor Leader Rasa: Mr. President, as I understand it, there is nothing in the Rules which would prohibit this Convention from adopting or placing the Committee Reports from Committee of the Whole for Final Reading or adoption of the Report. We can place it for Second and Final Reading, at the same time we can dispose of it anytime we wish to.

President Guerrero: That is the reason why the Chair pointed out to the Delegates that, if there is no objection, I have to hear from the Delegates of this Convention.

Delegate Jose R. Cruz: Mr. President, if I am in order, I would like to move that Committee Recommendation No. 1 on the subject "Washington Representative" be adopted by this Convention on Final Reading.

The motion was seconded.

Floor Leader Rasa: Mr. President, these are issues that might have some connection with other Constitutional provisions which we have not seen. Second and Final Reading demands the final phrasing of the Constitutional language. So, the only reason why I would like to request for the Convention to at least try to get in touch with other members in other that we try to see the relationship between this provision and other related provisions. I understand that in the final analysis there will be a review of the complete draft which must be considered by the Convention. That will call for a Third Reading, in essence. But I would still like to see that the Convention does not act on it immediately, so that a complete revised amendment be given to each member and that Final Action should be determined at the discretion of the President.

President Guerrero: It is so ordered, Floor Leader. The Chair will recognize that and I will try to calendar further discussion and for Final Reading sometime next week.

Delegate Jose R. Cruz: Point of order, Mr. President. There is a complete motion on the floor. I am not in the same position with the Floor Leader's suggestion. I am in favor of completing the remaining process of the motion and then we can go into the next business.

President Guerrero: Delegate Cruz, for your information, I consulted with our legal counsel in that respect and if the Convention would like to dispose of the motion made by Delegate Cruz, we can vote on it without any objection from the Chair.

Delegate Jose R. Cruz: I am simply saying, Mr. President, that there is a complete motion that should be acted upon by this Convention. The Chair cannot deprive this Convention of a complete motion action.

President Guerrero: The Chair recognizes your motion, Delegate Cruz.

The motion unanimously failed.

Delegate Jose R. Cruz: I voted against it, Mr. President, based on the explanation.

Chairman Fitial: Mr. President, I move that these two Committee Reports, along with their Recommendations, be placed on the calendar for Second and Final Reading at your discretion.

The motion was seconded and carried.

*Decision not  
to do final  
reading until  
after the  
public hearing*

Ramon Villagomez: Since it appears that we have covered most of the things that were set for today, I move that we recess until Monday morning at ten o'clock.

Chairman Mafnas: Point of order, Mr. President, we still have one item on our calendar.

President Guerrero: Our next item of business is Announcements, but before we go into that, does anyone have a speech to be given today?

Floor Leader Rasa: Mr. President, I understand that everybody is tired in here but I wish to say a few remarks with regard to the works of this Convention. I would like to address these remarks to all the Delegates, but particularly to those from the outer municipalities. I don't suppose that we can form a Commonwealth if the intent of separatism, of regionalism, continues to haunt this Hall. Mr. President, I am disgusted by the distrust in which most of the members from the outer municipalities have placed upon the Delegates from the municipality of Saipan. I, for one, will never support a Proposal just because it has been introduced...or is a Proposal introduced by the Saipan Delegation. I think a Propoposal had to be judged on its merits and demerits and not essentially from its originators. We'll be confronting a lot of complex issues which would demand give and take, and we cannot continue to have equal distribution on this basis. We have to accept the fact, Mr. President, that even here in the Marianas alone-- here in the municipality of Saipan--we don't get to support each other's view all of the time. So, with the kind of attitude which is evidence of the negative attitude towards our Delegation, I wish to inform Delegates from the other municipalities that we are here with open minds and we are not here to support what we think is good for Saipan and not for Rota or Tinian. I hope that we can come to a compromise because not all the issues can be distributed equally. If we have only Three Dollars and we continue to put out One Dollar for each municipality, and such municipality doesn't need the One Dollar, then we're going to end up with three separate, independent Commonwealths. I don't think that's the course of this Convention. All the lip-service of "unity" has lost its definition just a few minutes ago. I thank you.

Delegate Benjamin Manglona: Mr. President, thank you. The remarks made by our Floor Leader have prompted me, also, to make a few remarks. Mr. President and fellow Delegates, I don't think it is right to accuse the Rota Delegation, nor the Tinian Delegation, for the action we have done in this Convention. I think, all along, we have cooperated in deliberating our work here and I don't think we have come to the point where we use this Convention to disrupt the activities of this honorable body. I think the action which we have just approved is a good action and I think it is a good compromise. I don't think it's right that Delegate Rasa should .....

Floor Leader Rasa: Point of order, Mr. President. May I ask the speaker to confine himself to the issue and not to mention particular members in his speech.

President Guerrero: I ask the patience of the Delegate from Rota to confine himself and not mention the name of a person.

Delegate Benjamin Manglona: Mr. President, I don't want any member or Delegate from this Convention to try to accuse a Delegate from my municipality. I think we have to have mutual expressions and grievances of our people and that is why we are presenting this problem here in this Convention. While we are in the process of framing our Constitution we have to make this a workable Constitution for all of us. I cannot find other words to express it other than to say, "we're dissatisfied," so that I can convince the Delegates in this Convention. The reason why I came here is to present our problem and that is all that I have to say. I cannot hide it. Experience has taught us to do this. I regret, if in a way, I hurt some of the Delegates, but I can assure you that my Delegation is willing to work along harmoniously with each and everyone of you.

Delegate Leon Taisacan: Mr. President and fellow Delegates, I do not know the real definition behind these unfavorable remarks from one of the Delegates, but if it is to better facilitate better communication among the Delegates, then let it be so. However, if it is for any other reason, then I pray that such arrangement will not affect our unity in this Convention. With these Committee Reports we have heated expression on some issues, but let us not forget that we are here to represent our people's view. That view, Mr. President, is the drafting of a sound and effective Constitution for the Commonwealth of the Northern Marianas.

Delegate Francisco T. Palacios: Mr. President, the concern of the smaller municipalities in many instances is justified, based on their previous experience

with the administration. But bear in mind that the administration is not us, administered by someone else. Because of that experience they generate fear that a similar experience may occur under the Commonwealth. They're looking for justice and justice borne out of equality. In the name of equality, we, the bigger municipality, should not try to take advantage of the smaller municipality. At the same time I have mixed feeling whether the smaller municipalities....it is injustice for the smaller municipalities to take advantage, in the name of justice, that 2/3 of each municipality should be able to block the wishes of the majority of the people. If, indeed, one-man/one-vote concept is the democratic concept, I feel that in the name of unity and justice, it is not good for the bigger municipality or bigger population to dominate the smaller municipality and smaller population. At the same time we should be careful that the smaller municipality does not dominate the bigger municipality because, by the same token, the bigger population should not dominate the smaller population. If the smaller population dominates through the name of equality, then it becomes inequitable and we will have a Rhodesia. In Rhodesia the minority dominates the majority. So let us discuss this thing and talk about it in the next couple of days and let us look at it, issue by issue, and see how we can resolve this.

Delegata Jose R. Cruz: Mr. President, I just want to thank the first speaker for his eloquent and straightforward frankness on the very important issue that all of us should remember during the remaining balance of this Convention. I want to assure the original speaker and the rest of the Delegates that the Tinian Delegation is here to frame a workable Constitution for the people of the Northern Mariana Islands. As evidence of our faithfulness and our pledge to this principal, I wish to remind everyone here that the people of Tinian, with its very limited land, has committed more than 2/3 of its land to our future national defense and for the future of the Commonwealth Government of the Northern Mariana Islands. Thank you.

Delegate Hilario Diaz: Thank you, Mr. President. I just want to add something to what my fellow Delegate from Tinian just said. I'll make it very short. We respect the views of every Delegate in this Convention and I believe we all have a concern to see that we have equal representation, equal protection and equal opportunity in our new government which will be the Commonwealth Government. That is all I have to say, Mr. President. Thank you.

Delegate Juan P. Tenorio: Mr. President, if there are no further announcements, I would like to move that the Convention recess until Monday morning at 9:00.

President Guerrero: Before I entertain that motion there should be announcements.

### (13) ANNOUNCEMENTS

Chairman Mafnas: Your Committee on Governmental Institutions, Mr. President, will be meeting tomorrow at 10:00 in the Convention Hall. I urge that every member be present. If a member cannot be present tomorrow, Mr. President, I urge that he makes a proxy so his vote can be counted. Thank you.

Chairman Fital: Your Committee on Finance, Local Government and Other Matters will be meeting tomorrow at the same place at three o'clock in the afternoon.

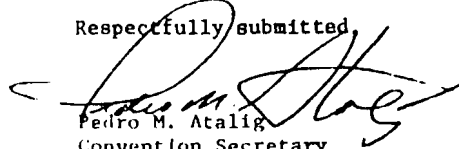
Acting Chairman Palacios: Your Committee on Personal Rights & Natural Resources will meet Monday right after the Plenary Session.

Floor Leader Rana: Mr. President, there being no further business, I move that the Convention recess until two o'clock tomorrow.

Convention Secretary: Mr. President, one more announcement first, please. I would like to remind the Delegates that we need the originals on all Delegate Proposals. I would like them to be given to me for filing purposes and for duplication.

The motion to recess was seconded and carried. The Convention recessed at 4:20 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

SEVENTH DAY  
Sunday, October 24, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:10 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 30 Delegates present. Delegates Olympio T. Borja, Antonio M. Camacho, Magdalena C. Camacho, Jose R. Cruz, Jose P. Mafnas and Ramon G. Villagomez were excused. Delegates Carlos S. Camacho, Juan DLG. Demapan and Herman Q. Guerrero were absent. A quorum was present.

Floor Leader Rasa: I move that those Delegates not in attendance who had offered prior notification of their absence be excused by the Convention.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move for the adoption of yesterday's Summary Journal.

The motion was seconded and carried to adopt the Sixth Day Summary Journal.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS - None

(7) INTRODUCTION AND FIRST READING OF PROPOSALS

Vice Chairman Francisco Palacios: I move for the adoption on First Reading of Committee Recommendation No. 1: Eligibility to Vote; Committee Recommendation No. 2: Elections and Election Procedures; and Committee Recommendation No. 3: Initiative, Referendum and Recall, from the Committee on Personal Rights and Natural Resources.

The motion was seconded.

Chairman Benigno Fitial: I move for the adoption on First Reading of Committee Recommendation No. 2: Education, from the Committee on Finance, Local Government and Other Matters.

The motion was seconded.

Delegates David Q. Maratita introduced and read Delegate Proposal No. 47, entitled "Proposal Regarding Executive Branch of Government."

Delegates Luis Limes, Lorenzo I. Guerrero, Pedro M. Atalig, Benigno Fitial and Pedro Igitol introduced Delegate Proposal No. 46, entitled "Proposal Regarding Natural Resources." The Secretary read the Proposal.

Delegate Esteven M. King introduced and read Delegate Proposal No. 48, entitled "Proposal Regarding Employees' Rights."

REFERRAL OF PROPOSALS

Delegate Proposal No. 29, entitled "Proposal Regarding Election Procedures.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 30, entitled "Proposal Regarding the Official Language of the Commonwealth.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 31, entitled "Proposal Regarding Trial by Jury.", was referred to the Committee on Personal Rights & Natural Resources.

(Delegate Ramon G. Villagomez entered the Convention Floor.)

Delegate Proposal No. 32, entitled "Proposal Regarding Local Government.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 33, entitled "Proposal Regarding the Executive Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 34, entitled "Proposal Regarding Governmental Institutions.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 35, entitled "Proposal Regarding Capital Improvement Funds.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 36, entitled "Proposal Regarding the Office of Public Auditor.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 37, entitled "Proposal Regarding Land Alienation.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 38, entitled "Proposal Regarding Education.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 39, entitled "Proposal Regarding Members of the Medical and Dental Professions.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 40, entitled "Proposal Regarding Taxation and Finance.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 41, entitled "Proposal Regarding Governmental Institutions.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 42, entitled "Proposal Regarding the Office of Comptroller.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 43, entitled "Proposal Regarding Consumer Protection.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 44, entitled "Proposal Regarding Education.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 45, entitled "Proposal Regarding Nomenclature of Government Offices.", was referred to the Committee on Governmental Institutions.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) MOTIONS AND RESOLUTIONS - None

Vice-Chairman Palacios: I move for the adoption on First Reading of Committee Recommendation No. 1: Eligibility to Vote from the Committee on Personal Rights and Natural Resources.

Floor Leader Raza: Mr. President, if I am not mistaken, I think under item 12, General Orders of the Day, we have Committee Recommendation No. 1: Eligibility to Vote. It is necessary that the House resolve itself into Committee of the Whole so that we can debate the issues involved and then go back and adopt it by the Convention. I suggest, if there is no objection by Vice Chairman Palacios, that we wait until after debate of the issues.

President Guerrero: Vice Chairman, can you withdraw your motion please.

Vice Chairman Palacios: I can, Mr. President, but the reasons I made this motion was that we still have Second Reading and on Proposals like Eligibility to Vote and Elections which are non-controversial I thought we would not need debate. I will yield to the Floor Leader's wishes and withdraw my motion.



President Guerrero: For clarification and information to the Delegates, introduction of the Committee's Recommendation under Item 7, Introduction and First Reading of Proposals, is the most appropriate time for introduction. We will then discuss these Recommendations under General Orders of the Day while in Committee of the Whole.

Delegate Pedro Dela Cruz: I nominate Delegate David Q. Maratita to be the permanent Chairman of the Committee of the Whole.

President Guerrero: Point of order. The Chair has the prerogative to appoint any member of this Delegation to be Chairman of Committee of the Whole. The point of order has been stated by the Chair and this is taken care of.

- (10) UNFINISHED BUSINESS - None
- (11) SPECIAL ORDERS OF THE DAY - None
- (12) GENERAL ORDERS OF THE DAY

Floor Leader Rasa: I move that the Plenary Session resolve into the Committee of the Whole in order to discuss the four stipulated items under General Orders of the Day.

The motion was seconded and carried to resolve into Committee of the Whole to consider Committee Recommendations No. 1, No. 2 and No. 3 from the Committee on Personal Rights and Natural Resources and Committee Recommendation No. 2 from the Committee on Finance, Local Government and Other Matters.

President Guerrero: I appoint Delegate Benjamin Manglona to act as Chairman of this Committee of the Whole.

The Convention resolved into the Committee of the Whole at 2:25 p.m.

The Convention reconvened in Plenary Session at 4:24 p.m.

Delegate Benjamin Manglona: Mr. President, I am very happy to report that your Committee of the Whole deliberated and has adopted, in principle, Committee Recommendation No. 1: Eligibility to Vote, and Committee Recommendation No. 2: Election and Election Procedures, from the Committee on Personal Rights and Natural Resources. It also adopted Committee Recommendation No. 2: Education, from the Committee on Finance, Local Government and Other Matters.

I would like to inform the Chair that after considerable discussion on Committee Recommendation No. 3: Initiative, Referendum and Recall, from the Committee on Personal Rights and Natural Resources, it was decided by your Committee of the Whole to defer action on this matter and this is referred back to the Committee on Personal Rights and Natural Resources.

Floor Leader Rasa: I move that the Convention adopt Recommendation No. 1: Eligibility to Vote, from the Committee on Personal Rights and Natural Resources.

The motion was seconded and carried.

Floor Leader Rasa: I move that the Convention adopt Recommendation No. 2: Elections and Election Procedures, from the Committee on Personal Rights and Natural Resources.

The motion was seconded and carried.

Floor Leader Rasa: I move that the Convention adopt Recommendation No. 2: Education, from the Committee on Finance, Local Government and Other Matters.

The motion was seconded and carried.

Floor Leader Rasa: I ask for unanimous consent that we recess until tomorrow.

President Guerrero: We will have announcements first.

- (13) ANNOUNCEMENTS

Chairman Fitial: The Committee on Finance, Local Government and Other Matters will be meeting tomorrow morning at 9:00 a.m. at its usual meeting place.

Chairman Felipe Atalig: I would like to make a short statement and announcement, please.

President Guerrero: First, let me recognize Vice-Chairman Prudencio Manglona.

Vice-Chairman Prudencio Manglona: The Committee on Governmental Institutions will be meeting at 10:00 a.m. tomorrow morning.

Chairman Felipe Atalig: I think it is abominable for any Delegate to express his discontentment on any Committee Recommendation when his participation has been practically nothing. Therefore, this particular person should come to the meeting tomorrow. And I will express again, that regardless of another duty, he should attend this meeting.

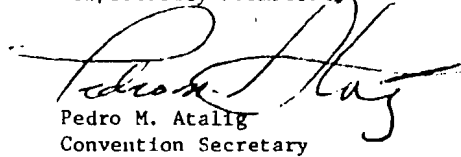
The Committee on Personal Rights and Natural Resources will meet tomorrow morning at 9:00 a.m. in the same room.

Floor Leader Ranaa: I move that we recess until 2:00 p.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 4:30 p.m.

Respectfully submitted,



Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

EIGHTH DAY  
Monday, October 25, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:10 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 34 Delegates present. Delegates Olympio T. Borja, Magdalena C. Camacho, Juan D.G. Demapan, Herman Q. Guerrero and Pedro M. Ogo were excused. No Delegates were absent. A quorum was present.

Floor Leader Rasa: I move that absent members be excused.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move that yesterday's Journal be adopted.

The motion was seconded and carried to adopt the Summary Journal for the Seventh Day, October 24, 1976.

Delegate Felipe Atalg: I believe prior to adoption of the Journal, we should have open discussion in case there is any error in the Journal. That is the reason I asked the Chair to be recognized because I have found a typographical error. It is on the first page under item (7), paragraph 4, whereby it should be corrected to Delegate David Q. Maratita.

President Guerrero: Let the record show this is to be corrected.

(5) COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Fitial: I have a report from the Committee on Finance, Local Government and Other Matters. I would, at this time, like to make a motion that this report No. 3, regarding "Corporations" be accepted by the Convention.

The motion was seconded and carried to accept the Committee's Report.

(6) INTRODUCTION AND FIRST READING OF PROPOSALS

Chairman Fitial: At this time I would like to introduce for First Reading Committee Recommendation No. 3 from the Committee on Finance, Local Government and Other Matters, regarding "Corporations." At this time I would like to tell the Convention that this is a very important subject and considerable attention was required by the members of this Committee during its deliberations. We examined many issues including the status of pre-existing corporations, registration of foreign corporations, possible misuse of corporate privileges and franchises and official requirements of non-profit, educational and public corporations. We have reviewed very quickly the consultant's briefing papers on corporations and its extensive consideration of constitutional restrictions and statutory practices in the Northern Mariana Islands jurisdictions. The Constitution should contain a clear and unambiguous statement regarding incorporation of private business. Special acts of incorporation which are subject to abuse would be prohibited. This is essential to the protection of our Commonwealth and we recommend that detailed matters on corporate definition also various acts and organization of non-business corporation should be left to Legislative decision. Further we request the Committee on Personal Rights and Natural Resources look at the important matters pertaining to restrictions

on land alienation insofar as they involve corporations. Mr. President, I submit this Recommendation and Report of the Committee on Finance, Local Government and Other Matters and urge that our proposed provisions on private business corporations be considered in the Committee of the Whole in principal. I thank you.

Delegate Gregorio S. Calvo introduced Delegate Proposal No. 49, entitled "Proposal Regarding Board of Education." The Convention Secretary read the Proposal.

Delegate Juan S. Demapan introduced and read Delegate Proposal No. 50, entitled "Proposal Regarding Inter-Island Sports Competition."

Delegate Juan S. Demapan introduced and read Delegate Proposal No. 51, entitled "Proposal Regarding Bill of Rights."

Delegate Juan S. Demapan introduced and read Delegate Proposal No. 52, entitled "Proposal Regarding Natural Resources."

Delegate Juan S. Demapan introduced and read Delegate Proposal No. 53, entitled "Proposal Regarding Natural Resources."

Delegate Juan S. Demapan introduced and read Delegate Proposal No. 54, entitled "Proposal Regarding Narcotics and Other Dangerous Drugs."

Delegates Jose R. Cruz, Esteven King, Hilario Diaz, Vicente Manglona and Henry Hofschneider introduced Delegate Proposal No. 55, entitled "Proposal Regarding Local Government." The Proposal was read by Jose R. Cruz.

Delegate Oscar C. Rasa introduced Delegate Proposal No. 56, entitled "Proposal Regarding Transaction of Business."

Delegate Oscar C. Rasa introduced Delegate Proposal No. 57, entitled "Proposal Regarding the Passage of Bills."

Delegate Oscar C. Rasa introduced Delegate Proposal No. 58, entitled "Budget Submission."

Delegate Oscar C. Rasa introduced Delegate Proposal No. 59, entitled "Emergency Power."

Delegate Oscar C. Rasa introduced Delegate Proposal No. 60, entitled "Proposal Regarding the Restrictions of Office."

Delegate Oscar C. Rasa introduced Delegate Proposal No. 61, entitled "Proposal Regarding the Legislature."

Delegate Oscar C. Rasa introduced Delegate Proposal No. 62, entitled "Proposal Regarding Immunity."

Delegate Felipe Q. Atalig introduced and read Delegate Proposal No. 63, entitled "Proposal Regarding Bill of Rights."

Delegate Felipe Q. Atalig introduced and read Delegate Proposal No. 64, entitled "Proposal Regarding Bill of Rights."

Delegate David Q. Maratita introduced and read Delegate Proposal No. 65, entitled "Proposal Regarding the Executive Branch of Government."

Delegate Daniel P. Castro introduced Delegate Proposal No. 66, entitled "Proposal Regarding Land Alienation." The Proposal was read by the Convention Secretary.

Delegates Esteven M. King, Vicente M. Manglona, Henry U. Hofschneider, Hilario F. Diaz and Jose R. Cruz introduced Delegate Proposal No. 67, entitled "Proposal Regarding Bill of Rights." The Proposal was read by the Convention Secretary.

Delegate Jose P. Mafnas introduced and read Delegate Proposal No. 68, entitled "Proposal Regarding Removal of Executive Appointee from Office."

Delegate Jose P. Mafnas introduced and read Delegate Proposal No. 69, entitled "Proposal Regarding Pardon and Clemency."

Delegate Jose P. Mafnas introduced and read Delegate Proposal No. 70, entitled "Proposal Regarding Restoration of Civil Rights and Liberties."

Delegate Ramon G. Villagomez introduced Delegate Proposal No. 71, entitled "Proposal Regarding Land Ownership." The Secretary read the Proposal.

Delegate Ramon G. Villagomez introduced Delegate Proposal No. 72, entitled "Proposal Regarding Government Institutions." The Convention Secretary read the Proposal.

Delegatos Lorenzo I. Guerrero and Luis M. Limes introduced Delegate Proposal No. 73, entitled "Proposal Regarding Natural Resources." The Proposal was read by the Secretary.

Delegates Lorenzo I. Guerrero and Luis M. Limes introduced Delegate Proposal No. 74, entitled "Proposal Regarding Land." The Proposal was read by the Convention Secretary.

#### REFERRAL OF PROPOSALS

Delegate Proposal No. 46, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 47, entitled "Proposal Regarding Executive Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 48, entitled "Proposal Regarding Employees' Rights.", was referred to the Committee on Finance, Local Government and Other Matters.

- (8) SECOND AND FINAL READING OF PROPOSALS - None.
- (9) INTRODUCTION OF RESOLUTIONS - None.
- (10) UNFINISHED BUSINESS - None.
- (11) SPECIAL ORDERS OF THE DAY - None.
- (12) GENERAL ORDERS OF THE DAY

Delegate Felipe Atalig: At the permission of the House, I would like the House to recognize the presence of my sister, Mrs. Pedro Olopai, and my friend, Mr. Ignacio Villanueva, from San Antonio. I would also like the House to recognize the presence of everyone in the gallery.

President Guerrero: At this time, the Chair would like to take the privilege to deliver a short remark.

Monday, October 25, 1976, marks the eighth day of progress in this Constitutional Convention. Your unselfish and unremitting efforts, as well as your dedicated attendance, has resulted in excellent progress thusfar. However, fellow Delegates, we cannot ignore the fact that the more we progress, the more crucial our task becomes. I, as Convention President, and you, as Delegates, share the responsibility and accountability for fulfilling the monumental assignment we have been given. We, together, are one and all in this process.

Let us put aside individual differences, political disagreements, the pursuit of individual glory, and any other activity detrimental to the success of our crucial mission. I urge each of you, fellow Delegates, to be altruistic -- to practice the sacrifice of self in the interest of society -- in every endeavor of this Convention. Partisanship by Delegates is a luxury our constituents can ill-afford. If I may repeat myself, our task is most crucial and demanding.

Not only present issues, but matters of future concern, could possibly affect what we are doing these days. Because of that, I am happy to say that our three substantive committees are being very ambitious, active and progressive in their specific assignments. Remember that committees are designed to permit each Delegate to serve effectively. Most proposals introduced by the committees in the past 7 days have had tremendous impact among the Delegates themselves and the public at large.

The Committee on Governmental Institutions is apparently the most sensitive committee in that it is responsible for the construction of the most workable and functional governmental structure of our new Commonwealth.

The Committee on Personal Rights and Natural Resources is another group whose particular and unique role in the formation of our future Constitution we should recognize. The challenging issue of personal rights and the protection of our natural resources are demanding and require extreme care. We are caught in a time where people of distinct classes and different walks of life are beginning to emerge and seek their inalienable rights.

The Committee on Finance, Local Government and Other Matters is responsible for recommending appropriate local governmental institutions, should our Constitution authorize their creation. No republican form of government can ever achieve its ends without providing the means to pursue its ultimate goals. We cannot create more than what is needed. We cannot ask for more than what we have to give. Anything beyond our present capacity, and anything above what we can offer to our constituents, could possibly lead us to governmental chaos. Let us cooperate with these committees 100%.

The various proposals introduced are specifically intended to be incorporated in our constitutional provisions. Unfortunately some of those proposals may not reach maturity, while some do. Indeed, we are all here to try to do the best we can to protect the interest of our people in their respective localities. Some of us may be preparing to pursue extreme demands to further special interests. However, let us keep in mind that we need to compromise. Nothing could be accomplished while we are here, fellow Delegates, without consent of 3/4 of the vote.

I am confident that with your full cooperation and altruism we will accomplish our crucial task with understanding and harmony. May the blessings of the Almighty come to us and give us guidance now and forever.

I thank you.

(13) ANNOUNCEMENTS

Chairman Jose P. Mafnas: Your Committee on Governmental Institutions will meet immediately after this session in the Convention Hall.

Chairman Felipe Atalig: The Committee on Personal Rights & Natural Resources will meet immediately after this session in their usual meeting place.

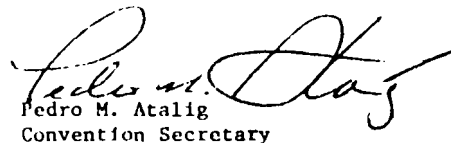
Chairman Benigno Fitial: The Committee on Finance, Local Government and Other Matters will meet tomorrow morning for the entire day and again the following morning.

Floor Leader Rasa: There being no further business, I move that the Convention recess until Wednesday, October 27, 1976, at 2:00 p.m.

The motion was seconded and carried.

The Convention recessed at 2:40 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary


CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

CONVENTION JOURNAL

NINTH DAY  
October 26, 1976

There was no session this date.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
VERBATIM JOURNAL (TRANSCRIPT)

TENTH DAY  
Wednesday, October 27, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:05 p.m.

The Honorable Lorenzo J. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 37 Delegates present. Delegates Juan DLG. Demapan and Oscar C. Rasa were excused. No Delegates were absent. (Delegate Juan DLG. Demapan arrived on the Convention Floor just after roll call.)

Delegate Felipe Atalig: I move that those Delegates not present be granted leave of absence.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL.

Delegate Jose R. Cruz: I move we adopt the Journal for the 10th Day.

Delegate Olympio T. Borja: I would like to amend the motion to state "8th and 9th Days."

The motion was seconded and carried to adopt the Summary Journals for the 8th and 9th Days.

(5) COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Jose P. Mafnas: On behalf of the Committee on Governmental Institutions, I am pleased to submit Committee Recommendation No. 2. This Recommendation concerns the "Judicial Branch of Government" and consists of a proposed constitutional article on the judicial branch and an accompanying explanatory report.

The Committee recommends the creation of a Commonwealth court system. The Committee recognizes, however, that the Northern Marianas has few lawyers and little experience with administering a judicial branch. Accordingly, we suggest that at the beginning only a Commonwealth trial court of defined jurisdiction be formed. The court would consider all land matters, all other civil matters not involving more than \$5,000, and criminal cases involving fines of not more than \$5,000 or imprisonment for not more than five years. Other civil and criminal cases and all appeals would be heard by the United States District Court for the Northern Marianas.

Five years after the Constitution becomes effective, the Committee's recommended language would permit the legislature to expand the jurisdiction of the Commonwealth trial court and to establish appellate courts.

The Committee's proposed article would empower the governor to appoint Commonwealth judges, subject to the advice and consent of the upper house of the legislature. Judges would serve for an initial term of six years. They would be eligible for reappointment to one or more terms. The Committee's proposed language would authorize the legislature to increase the terms of judges who are reappointed to a period not to exceed 12 years. Judges would be subject to impeachment and to removal by the governor following the recommendation of an Advisory Commission composed of lawyers and representatives of the public.



The judiciary would have the power to issue rules governing criminal and civil procedures, admission to the bar, the affairs of the bar, judicial ethics, and other matters of judicial administration. These rules would be submitted to the legislature and would take effect 60 days after submission unless disapproved by either house of the legislature.

Mr. President, the Committee on Governmental Institutions believes the judicial system that I have outlined would serve the Northern Marianas people efficiently, fairly and economically. The Committee urges the Convention to accept this Recommendation and to calendar it for early consideration by the Committee of the Whole.

Thank you, Mr. President.

Chairman Felipe Atalig: The Committee on Personal Rights and Natural Resources completed its reconsideration regarding Committee Recommendation No. 3: Initiative, Referendum and Recall, as requested by the Committee of the Whole. The Committee has three reports to submit. First, a Committee report on referendum and recall; second, a majority report on initiative; and third, a minority report on initiative.

Each of these reports has attached to it proposed constitutional language that the Committee will ask the Committee of the Whole to consider. Thank you.

Chairman Benigno Fitial: On behalf of your Committee on Finance, Local Government and Other Matters, I am happy to submit Committee Recommendation No. 4, regarding "Constitutional Amendments."

Mr. President, I wish to address a most important issue which has already received the attention of this Convention in its Committee of the Whole.

I refer to the subject of constitutional amendments and more specifically to ratification methods. The Committee of the Whole had amended the original recommendation of the Committee on Finance, Local Government and Other Matters to require approval by 2/3 of the votes cast in each of the three municipalities.

Your Committee has reconsidered this amendment and its implications. We are concerned because under it any one municipality could prevent ratification although the voters of that municipality constituted a small percentage of the total votes cast by the Commonwealth as a whole.

Denial, Mr. President, of the basic principle of majority rule might pose constitutional problems under the Federal Constitution Equal Protection Provision. This is true in light of the important decision of the United States Supreme Court in *Reynolds v. Sims*, the "one man-one vote" decision.

For constitutional reasons, as well as governmental and political ones, we favor the principle of majority rule. At the same time, Mr. President, we should not ignore the separate and special needs of the individual municipalities.

How then, Mr. President, can we blend both sets of interests -- those of the majority of the population and the interests of the individual islands? The Covenant provision on legislative representation suggests an approach.

We propose a further amendment to the ratification provision. In the case of constitutional amendment proposed by legislative initiative, in which the individual municipalities are equally represented in the upper house, a majority of the votes cast would be required. In the case of amendments proposed by constitutional convention or popular initiative an affirmative vote of a majority of the votes cast -- Commonwealth wide -- would be required and a two-thirds vote of each of two of the three municipalities. Thus, you have blended two interests: majority rule and special needs of the islands.

Delegate Olympio T. Borja: I would like to move for acceptance of the report made by the Chairman of the Committee on Governmental Institutions.

The motion was seconded and carried.

Delegate Olympio T. Borja: I move we accept the reports made by the Chairman of the Committee on Personal Rights and Natural Resources and the Chairman of the Committee on Finance, Local Government and Other Matters.

The motion was seconded and carried.

(7) INTRODUCTION AND FIRST READING OF PROPOSALS

Delegates Ramon G. Villagomez, Jose S. Borja, Juan S. Demapan and Henry U. Hofschneider introduced Delegate Proposal No. 75, entitled "Proposal Regarding Public Officials." The Proposal was read by Delegate Borja.

Delegates Pedro M. Atalig, Benjamin T. Manglona, Leon I. Taisacan, Prudencio T. Manglona, David M. Atalig, Gregorio S. Calvo, Henry U. Hofschneider, Vicente M. Manglona, Esteven M. King, Pedro M. Ogo, Pedro Q. Dela Cruz, and Jose R. Cruz introduced Delegate Proposal No. 76, entitled "Proposal Regarding Governmental Institutions." The Proposal was read by Delegate Dela Cruz.

Delegates David M. Atalig, Prudencio T. Manglona, Benjamin T. Manglona, Pedro M. Ogo, Leon I. Taisacan, Pedro Q. Dela Cruz, Gregorio S. Calvo, Pedro M. Atalig, Vicente M. Manglona, Henry U. Hofschneider, Esteven M. King, Hilario F. Diaz and Jose R. Cruz introduced Delegate Proposal No. 77, entitled "Proposal Regarding Code of Ethics." The Proposal was read by Delegate Dela Cruz.

Delegates Pedro Q. Dela Cruz, Leon I. Taisacan, Benjamin T. Manglona, David M. Atalig, Pedro M. Atalig, Prudencio T. Manglona, Gregorio S. Calvo, Pedro M. Ogo, Vicente M. Manglona, Esteven M. King, Jose R. Cruz and Hilario F. Diaz introduced Delegate Proposal No. 78, entitled "Proposal Regarding Capital Punishment." The Proposal was read by Delegate Dela Cruz.

Delegates David M. Atalig, Prudencio T. Manglona, Benjamin T. Manglona, Pedro M. Ogo, Leon I. Taisacan, Pedro Q. Dela Cruz, Gregorio S. Calvo, Pedro M. Atalig, Vicente M. Manglona, Henry U. Hofschneider, Esteven M. King, Hilario F. Diaz and Jose R. Cruz introduced Delegate Proposal No. 79, entitled "Proposal Regarding Private Employer." The Proposal was read by Delegate Dela Cruz.

Delegates Pedro M. Atalig, Benjamin T. Manglona, Leon I. Taisacan, Prudencio T. Manglona, David M. Atalig, Pedro Q. Dela Cruz, Esteven M. King, Jose R. Cruz, Hilario F. Diaz, Pedro M. Ogo, Gregorio S. Calvo and Vicente M. Manglona introduced Delegate Proposal No. 80, entitled "Proposal Regarding the Bill of Rights." The Proposal was read by Delegate Dela Cruz.

Delegate Vicente T. Attao introduced Delegate Proposal No. 81, entitled "Proposal Regarding Land."

Delegate Vicente T. Attao introduced Delegate Proposal No. 82, entitled "Proposal Regarding Extradition."

Delegate Vicente T. Attao introduced Delegate Proposal No. 83, entitled "Proposal Regarding Apportionment in the House of Representatives."

Delegate Vicente T. Attao introduced Delegate Proposal No. 84, entitled "Proposal Regarding Public Land."

Delegates David M. Atalig, Prudencio T. Manglona, Benjamin T. Manglona, Pedro M. Ogo, Leon I. Taisacan, Pedro Q. Dela Cruz, Gregorio S. Calvo, Pedro M. Atalig, Vicente M. Manglona, Henry U. Hofschneider, Esteven M. King, Hilario F. Diaz and Jose R. Cruz introduced Delegate Proposal No. 85, entitled "Failure to Make Appropriations."

Delegates David M. Atalig, Prudencio T. Manglona, Benjamin T. Manglona, Pedro M. Ogo, Leon I. Taisacan, Jose R. Cruz, Vicente M. Manglona, Henry U. Hofschneider, Pedro Q. Dela Cruz, Gregorio S. Calvo, Pedro M. Atalig, Esteven M. King and Hilario F. Diaz introduced Delegate Proposal No. 86, entitled "Proposal Regarding Oath of Office."

Delegates David M. Atalig, Prudencio T. Manglona, Benjamin T. Manglona, Pedro M. Ogo, Leon I. Taisacan, Pedro Q. Dela Cruz, Gregorio S. Calvo, Pedro M. Atalig, Vicente M. Manglona, Henry U. Hofschneider, Esteven M. King, Hilario F. Diaz and Jose R. Cruz introduced Delegate Proposal No. 87, entitled "Proposal Regarding Existing Officers Continued in Office."

Delegates David M. Atalig, Prudencio T. Manglona, Pedro M. Ogo, Benjamin T. Manglona, Pedro Q. Dela Cruz, Gregorio S. Calvo, Pedro M. Atalig and Jose R. Cruz introduced Delegate Proposal No. 88, entitled "Proposal Regarding Public Employees."

Delegates David M. Atalig, Prudencio T. Manglona, Benjamin T. Manglona, Pedro M. Ogo, Leon I. Taisacan, Pedro Q. Dela Cruz, Gregorio S. Calvo, Pedro M. Atalig, Vicente M. Manglona, Jose R. Cruz, Hilario F. Diaz, Henry U. Hofschneider and Esteven M. King introduced Delegate Proposal No. 89, entitled "Proposal Regarding Sea Fisheries."

Delegates Benigno R. Fitial, Pedro Igitol and Luis M. Limes introduced Delegate Proposal No. 90, entitled "Proposal Regarding the Legislative Branch of Government." The Proposal was read by Delegate Fitial.

Delegates Hilario F. Diaz, Vicente M. Manglona, Henry U. Hofschneider and Jose R. Cruz introduced Delegate Proposal No. 91, entitled "Proposal Regarding the Office of Ombudsman." The Proposal was read by Delegate Diaz.

Delegates Hilario F. Diaz, Vicente M. Manglona, Henry U. Hofschneider, Esteven M. King and Jose R. Cruz introduced Delegate Proposal No. 92, entitled "Proposal Regarding Revenue From Natural Resources." The Proposal was read by Delegate Diaz.

Delegates Jose R. Cruz, Hilario F. Diaz, Vicente M. Manglona, Henry U. Hofschneider and Esteven M. King introduced Delegate Proposal No. 93, entitled "Proposal Regarding Justification of Governmental Programs." The Proposal was read by Delegate Cruz.

Delegates Esteven M. King, Henry U. Hofschneider and Hilario F. Diaz introduced Delegate Proposal No. 94, entitled "Proposal Regarding Personal Rights." The Proposal was read by the Convention Secretary.

Delegates Esteven M. King, Vicente M. Manglona, Henry U. Hofschneider and Hilario F. Diaz introduced Delegate Proposal No. 95, entitled "Proposal Regarding Finance." the Proposal was read by the Secretary.

Delegates Pedro M. Ogo, Pedro Q. Dela Cruz, Leon I. Taisacan, Henry U. Hofschneider, Esteven M. King, Francisco T. Palacton, David M. Atalig, Gregorio S. Calvo, Benjamin T. Manglona, Prudencio T. Manglona, Vicente M. Manglona, Hilario F. Diaz and Jose R. Cruz introduced Delegate Proposal No. 96, entitled "Proposal Regarding Official Flag." The Proposal was read by Delegate Taisacan.

Delegate Daniel P. Castro introduced and read Delegate Proposal No. 97, entitled "Proposal Regarding Governmental Institutions."

Delegates Luis M. Limes and Lorenzo I. Guerrero introduced Delegate Proposal No. 98, entitled "Proposal Regarding Ombudsmen."

Delegates Luis M. Limes and Lorenzo I. Guerrero introduced Delegate Proposal No. 99, entitled "Proposal Regarding Micronesian Claims Act."

Delegates Lorenzo I. Guerrero and Luis M. Limes introduced Delegate Proposal No. 100, entitled "Proposal Regarding the Different Orders of Court."

Delegates Lorenzo I. Guerrero and Luis M. Limes introduced Delegate Proposal No. 101, entitled "Proposal Regarding the Jurisdiction of the 'Supreme Court' of the Commonwealth."

Delegates Lorenzo I. Guerrero and Luis M. Limes introduced Delegate Proposal No. 102, entitled "Proposal Regarding the Native Language of the Commonwealth of the Northern Mariana Islands."

Delegates Luis M. Limes, Lorenzo I. Guerrero, Leon I. Taisacan, Pedro M. Atalig, Felix A. Ayuyu, Hilario F. Diaz and Henry U. Hofschneider introduced Delegate Proposal No. 103, entitled "Proposal Regarding Conflicts of Interest."

Delegates Luis M. Limes and Lorenzo I. Guerrero introduced Delegate Proposal No. 104, entitled "Proposal Regarding Bill of Rights."

Delegates Luis M. Limes and Lorenzo I. Guerrero introduced Delegate Proposal No. 105, entitled "Proposal Regarding the Constitution."

Delegates Luis M. Limes and Lorenzo I. Guerrero introduced Delegate Proposal No. 106, entitled "Proposal Regarding Employment of Minorities in the Labor Force."

Delegates Luis M. Limes and Lorenzo I. Guerrero introduced Delegate Proposal No. 107, entitled "Proposal Regarding Natural Resources."

Delegates Luis M. Limes and Lorenzo I. Guerrero introduced Delegate Proposal No. 108, entitled "Proposal Regarding Oath of Office."

Delegates Juan P. Tenorio, Esteven M. King and Pedro Ogo introduced Delegate Proposal No. 109, entitled "Proposes a Provision in the Commonwealth Constitution that the Following be Included in the Local Government." The Proposal was read by the Convention Secretary.

Delegates Juan P. Tenorio, Esteven M. King and Pedro Ogo introduced Delegate Proposal No. 110, entitled "Proposal a Provision in the Commonwealth Executive Branch." The Proposal was read by the Secretary.

Delegate Ramon G. Villagomez introduced and read Delegate Proposal No. 111, entitled "Proposal Regarding Chamorro Language Requirement for Government Jobs."

#### REFERRAL OF PROPOSALS

Delegate Proposal No. 49, entitled "Proposal Regarding Board of Education.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 50, entitled "Proposal Regarding Inter-Island Sports Competition.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 51, entitled "Proposal Regarding Bill of Rights.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 52, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 53, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 54, entitled "Proposal Regarding Narcotics and Other Dangerous Drugs.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 55, entitled "Proposal Regarding Local Government.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 56, entitled "Proposal Regarding Transaction of Business.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 57, entitled "Proposal Regarding the Passage of Bills.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 58, entitled "Budget Submission.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 59, entitled "Emergency Power.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 60, entitled "Proposal Regarding the Restrictions of Office.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 61, entitled "Proposal Regarding the Legislature.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 62, entitled "Proposal Regarding Immunity.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 63, entitled "Proposal Regarding Bill of Rights.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 64, entitled "Proposal Regarding Bill of Rights.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 65, entitled "Proposal Regarding the Executive Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 66, entitled "Proposal Regarding Land Alienation.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 67, entitled "Proposal Regarding Bill of Rights.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 68, entitled "Proposal Regarding Removal of Executive Appointee from Office.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 69, entitled "Proposal Regarding Pardon and Clemency.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 70, entitled "Proposal Regarding Restoration of Civil Rights and Liberties.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 71, entitled "Proposal Regarding Land Ownership.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 72, entitled "Proposal Regarding Governmental Institutions.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 73, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights and Natural Resources.

Delegate Proposal No. 74, entitled "Proposal Regarding Land.", was referred to the Committee on Personal Rights and Natural Resources.

President Guerrero: I would like to remind the Delegates that according to Rule 54, as amended, no Delegate Proposal can be presented after October 29, 1976.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY

Delegate Olympio T. Borja: I would like to move that Committee Recommendation No. 2 from the Committee on Governmental Institutions, regarding "The Judicial Branch of Government.", be placed on the calendar under General Orders of the Day for tomorrow for consideration by the Committee of the Whole.

The motion was seconded and carried.

(12) GENERAL ORDERS OF THE DAY

Chairman Benigno Fitral: I would like to move that the Plenary Session resolve into the Committee of the Whole in order to consider Committee Recommendation No. 3 from the Committee on Personal Rights & Natural Resources, regarding "Initiative, Referendum and Recall.", and, also, Committee Recommendation No. 3 from the Committee on Finance, Local Government and Other Matters, regarding "Corporations."

The motion was seconded and carried.

President Guerrero: At this time, I would like to call on Vice President Francisco Palacios, to preside over the Committee of the Whole.

The Convention resolved into the Committee of the Whole at 2:38 p.m.

The Convention reconvened in Plenary Session at 4:07 p.m.

Chairman Palacios: I would like to report that the Committee of the Whole adopted the sections in the Reconsideration of Committee Recommendation No. 3 regarding, "Referendum and Recall," but they recommended re-referral of the section regarding "Initiative" to the Committee on Personal Rights and Natural Resources.

The Committee of the Whole also adopted Committee Recommendation No. 3 from the Committee on Finance, Local Government and Other Matters, regarding "Corporations."

Delegate Pedro Dela Cruz: Point of order, Mr. President. I think we need to adopt the report from the Committee of the Whole. I feel we need to do this.

Chairman Benigno Fitial: I move that the Committee Recommendations, as adopted by the Committee of the Whole, be adopted by this Convention.

The motion was seconded and carried.

(13) MISCELLANEOUS

Delegate David Q. Maratita: Mr. fellow Delegates, I wish to take a moment of your time to express my views about the proposal I introduced to provide for a draft Constitutional article prohibiting the creation of units of local government in the new Commonwealth.

As we all know, the government that we shall be forming under the new constitution should be a functional government taking all things under this system as totally devoid of the inconsistencies of the past experiences under the Trust Territory Government Administration.

The Municipal Governments that we now have are more than what I can normally call a "parasite" which eat of a sizeable amount of the capital resources that would have more appropriately been under a centralized agency.

Allow me to qualify my observation on why I feel that we, in this Convention, should provide an article in the constitution prohibiting the creation of local governments.

First, if we are to continue the present system, that is, the existence of municipal governments in the new Commonwealth, we will be sacrificing an essential part of the capital resources made available to fund for the operations of municipalities. As an example, the Saipan Municipal Government for its fiscal year budget for 1977, that is July 1, 1976 to June 30, 1977, a total of about \$451,883.00 will be needed to operate the municipality against an estimated revenue of \$453,392.00.

In a locality such as Saipan where the central government has activity such as Public Works, the services performed by the Municipal Government in public works become inter-phased in area of similar responsibilities. While Saipan is more evident of the duplication of public service efforts, Rota and Tinian to a certain degree, equally share the problem of duplicating some of the efforts that are provided by the central government. This appears unnecessary and unwarranted in the new Commonwealth Government for economic reasons.

Second, the absence of local government would make the delivery of services to the people more efficient. Legislative programs can be handled more effectively by limiting the process to one level of government, the central government. In other words, the legislature and the governor can program for the people under the concept of a central government with decentralized functions operating for the entire Commonwealth. Since the Commonwealth Legislature will be composed of representatives elected from the islands of Rota, Tinian and Saipan and the governor elected on a commonwealth-wide basis, there should be a reappraisal of our mental attitude to refer to our government as one central government and not persist on separate political sub-divisions.

Since the Covenant under Section 203(c) gives the people of Rota and Tinian protection that their particular interests be recognized and accommodated in the new Commonwealth, it would to a large degree be more advantageous to include a constitutional provision that would prohibit the creation of separate political sub-divisions on the islands of Rota, Tinian and Saipan. To insure, however, that the people living on these three main islands are represented in the executive branch of government, we should consider providing a constitutional language that would require the governor to establish within his immediate staff, a person to be responsible for the affairs of the islands, a position that would require the advice and consent of the legislature. At the same time, a provision could be

provided that the legislature be required to establish by a commissionership system or whatever allowing for the election of one person from each island who will be the chief representative of the governor on matters pertaining to their particular island. Compensation of these commissioners will be as provided by law and to be included in the commonwealth-wide budget for the operation of the executive branch. The Commissioner for Rota and Tinian under this system could be authorized by statute to be in direct charge of the administration in the delivery of services under a decentralized budget developed by the respective commissioner and approved in the governor's budget.

By doing away with a local government, the degree of delineation of authority as to what the local government can and cannot do will be less confusing to our people. In other words, the sad experiences that have been had prior to the new Commonwealth Government should not be repeated. I feel that a government functioning as one unit, that is the central government, will do more for the people on a commonwealth-wide basis rather than permitting a local government to perform only certain things for a given locality. The less local government we have the more efficient services can be delivered by the central government in that there will only be one level of government to work with. By decentralizing the function of this central government to Rota and Tinian allocating the authority that can be locally handled in matters pertaining to the administration of the government, we will not have to worry about maintaining another level of government operating under its separate identity such as we used to experience.

My fellow Delegates, perhaps what I have expressed may be facetious, but I feel that we are here in this Convention drafting our charter for a new government. I will urge a close review of our present political experience and ensure ourselves that what we will be providing for our future government will be a workable and acceptable approach to our new Commonwealth.

In conclusion, I am for a central Commonwealth Government under the concept of decentralized functions with respect to the administration of such a government.

Delegate Hilario F. Diaz: Mr. President and fellow Delegates. The Convention has now used over nine of its allotted 50 days. We have made substantial progress in some areas. Nevertheless, I think that it is important to pause to assess what we have done and what we must accomplish in the next 40 days in order to accomplish our mission.

Our Mission is straightforward; we must write a Constitution that not only creates a workable structure of government but also is sturdy and flexible enough to withstand the test of time. We must devote all of our efforts to achieving this objective. We must not permit geographic differences to interfere with our crucial task. The minority must never take advantage of the majority. The majority must never dominate the minority. Let us always remember that the United States Government would probably veto any Constitution that unfairly discriminates against any group, majority or minority, of our people. Rejection of our Constitution by the federal government would be a tragedy whose dimensions would be beyond our capacity to measure.

Mr. President and fellow Delegates, we must all remember that the Constitution will serve as the foundation of our new Commonwealth. But what is a commonwealth? It is a government founded on law and united by the people's compact with themselves to act for the common good. To speed the creation of our Commonwealth, we of the Tinian Delegation are willing to consider the completed Constitution as an entity. Even though we may disagree with specific provisions adopted in principle by the Committee of the Whole, we will not obstruct the work of the Convention. After the drafting of the Constitution is concluded, we will examine the entire document to determine if the interests of our constituents are adequately protected.

Mr. President, the Convention has heard many words urging Delegates to cooperate with each other. Over the next 40 days, we must give meaning to those words. We must act in the interests of all of our people on all of our islands. Let us create a Commonwealth that will serve us and our children well. Thank you.

Delegate Henry U. Hofschneider: Mr. President and Honorable Delegates of this historic Convention. This day marks our 10th day of our Convention and I would

like to take this opportunity on behalf of my fellow Delegates from Tinian to congratulate all of our hard working Delegates in this Convention.

First of all, Mr. President, I would like to go on record that disunity among us, in each perspective municipality in the Government of the Northern Marianas, has become idealistic since the beginning of this Convention. Let me further state that speeches and comments have been well established in this Convention against the wishes of both Rota and Tinian Municipality desires and presumably the Northern Islands. We all wish to frame a Constitution which would not duplicate our experience of frustration in our government system but to formulate a supreme government system in which that as citizens of the Northern Mariana Islands should ratify without the sense of future confrontation between ourselves. The delegates from Tinian, wish to express and assure all Delegates, and you, Mr. President, that we will cooperate in order to form a workable Constitution that will be accepted by all our people. We are divided by a body of ocean, however, this should not be an obstacle, we will not let it be an obstacle. It pains me to think that at one time our ancestors were one people and then were colonialistically divided by foreign power; we have been see-sawing from one power to the other.

Mr. President and fellow Delegates, let us not lose this opportunity to break forever from the Trust Territory Government. In conclusion, my fellow Delegates and Mr. President, Tinian is ready and open its hands to its brothers. Thank you.

Delegate Leon Taisacan: Mr. President and fellow Delegates. We assemble here in this Convention for the purpose of creating a workable Constitution for the Northern Marianas Government. During our assemblage in this Convention Hall, I have heard some encouraging speeches on unity in this Convention. I sincerely hope that each of us is honest about unity. I do not believe it would be worth anybody's while to note that if we want unity in this Convention and then attempt to break-up the spirit of unity and cooperation through actions. I hope that what we have said here about unity can be put into meaningful actions.

Mr. President, I just want to inform the Delegates that our proposal of 20% participation in the initiative process did not come out from our briefcase. It came out over a long period of time. It came out especially from the experience Rota and Tinian have had in the District Legislature in a manner in which we have treated each other. It came out from a long history and background of our relationship with the two Municipalities. Thank you.

Delegate Gregorio Calvo: I noticed on the Convention Journal for the 9th Day that there was no session. I believe the fact that we had committee meetings that day, even though there was no Plenary Session, should be in the Journal.

President Guerrero: Yes, the Convention Journal will be corrected to show that committee meetings were held on the 9th Day, even though there was no Plenary Session.

Delegate Jose R. Cruz: I just want to state an observation concerning a remark made earlier by one of the Delegates. While I am very much concerned about governmental levels, expenditures, funding and so forth, I wish to point out to this Convention that we should not close the door in drafting the Constitution for the possible future creating of a local government. I wish to remind this Convention, for example, the State of Hawaii, has county and city governments similar to the structure the Marianas presently has. Perhaps only the names are different. The reason why local government has not been very successful in the Northern Marianas is simply because there was no decentralization of responsibility according to the various municipalities. I want this to be a reminder to all the Delegates, in drafting our Constitution, it is very important that we include the provision that if we want to have local government in the future, we have the avenue to do so.

Delegate Benigno Fitial: I just want to cheer-up my fellow Delegate from Tinian. In regard to his remarks, that particular Delegate Proposal has been tabled.

(14) ANNOUNCEMENTS

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources will meet tomorrow at the usual place at 9:00 a.m.



Chairman Jose P. Mafias: Your Committee on Governmental Institutions will meet tomorrow morning at 9:00 a.m. in the Convention Hall.

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters will meet tomorrow morning at 9:00 a.m. in their regular meeting place.


President Guerrero: I would like to announce that the Committee on Procedures and Organization will be meeting immediately following this session.

Delegate Pedro Dela Cruz: I move that we recess until tomorrow at 2:00 p.m.

The motion was seconded and carried.

The Convention recessed at 4:27 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
VERBATIM JOURNAL (TRANSCRIPT)

ELEVENTH DAY  
Thursday, October 28, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:05 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 37 Delegates present. Delegates Daniel P. Castro and Joaquin S. Torres were excused. No Delegates were absent.

Floor Leader Rasa: I move that those Delegates not in attendance be granted leave of absence.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move that we adopt the Summary Journal for the 10th Day.

The motion was seconded and carried to adopt the Summary Journal for the 10th Day.

(Delegate Joaquin S. Torres entered the Convention Hall.)

(5) COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Jose P. Mafnas: I would like to report that your Committee on Governmental Institutions is now discussing the executive branch of the government. I also have several Delegate Proposals which have been disposed of by your Committee. Regarding Delegate Proposal No. 75, entitled "Proposal Regarding Public Officials.", the Committee has set the age for Senator at 30 years minimum and the age for Representatives at 25 years minimum age.

Delegate Proposal No. 76, entitled "Proposal Regarding Governmental Institutions.", it was agreed that all sessions of the Legislature will be open to the public except on highly sensitive issues.

On Delegate Proposal No. 62, entitled "Proposal Regarding Immunity.", the Committee has decided to accept this.

Delegate Proposal No. 61, entitled "Proposal Regarding the Legislature.", requests that the Senate and House of Representatives shall be called "The Marianas Congress." Your Committee on Governmental Institutions has tentatively decided to call this body "The Northern Marianas Commonwealth Legislature." I have reservations on that particular conclusion.

On Delegate Proposal No. 17, entitled "Proposal Regarding the Legislative Branch of Government.", your Committee has agreed tentatively that the upper house will be called "The House of Senate" and will be composed of three Senators from Tinian, three Senators from Saipan and three Senators from Rota. The lower house, "The House of Representatives," will be composed of 30 members; 25 from Saipan, 3 from Rota and 2 from Tinian. Also regarding this Proposal, your Committee has tentatively agreed that appropriation bills should originate in the lower house and will be subject to approval by the upper house.

Chairman Felipe Atalig: I would like to yield the floor to Delegate Manuel Tenorio for presentation of the report from the Committee on Personal Rights and Natural Resources.

Delegate Manuel Tenorio: The Committee on Personal Rights and Natural Resources has deliberated on the provision on Initiative that had been re-referred to the Committee by Committee of the Whole yesterday. The Committee has agreed to recommend the first Proposal that was offered to the Convention requiring twenty percent (20%) of the total number of qualified voters within the Commonwealth.

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters will make no report at this time.

(7) INTRODUCTION AND FIRST READING OF PROPOSALS

Delegate Juan S. Demapan introduced Delegate Proposal No. 112, entitled "Proposal Regarding Land." The Proposal was read by the Secretary.

Delegates Olympio T. Borja and Jose S. Borja introduced Delegate Proposal No. 113, entitled "Proposal Regarding Sovereign Immunity." The Proposal was read by Delegate Olympio T. Borja.

Delegates Manuel A. Tenorio, Luis M. Limes, Jose S. Borja, Francisco T. Palacios, Juan S. Demapan, Felix A. Ayuyu, Henry U. Hofschneider and Juan P. Tenorio introduced Delegate Proposal No. 114, entitled "Proposal Regarding Legislative Matters." The Proposal was read by the Convention Secretary.

Delegates Manuel A. Tenorio, Luis M. Limes, Francisco T. Palacios, Jose S. Borja, Juan S. Demapan, Henry U. Hofschneider, Hilarjo J. Diaz and Juan P. Tenorio introduced Delegate Proposal No. 115, entitled "Proposal Regarding Land Use." The Proposal was read by the Convention Secretary.

Delegates Manuel A. Tenorio, Luis M. Limes, Henry U. Hofschneider, Leon Taisacan, Daniel Castro, Lorenzo I. Guerrero and Juan P. Tenorio introduced Delegate Proposal No. 116, entitled "Proposal Regarding Natural Resources." The Proposal was read by the Convention Secretary.

Delegates Manuel A. Tenorio, Luis M. Limes, Leon I. Taisacan, Lorenzo I. Guerrero and Juan P. Tenorio introduced Delegate Proposal No. 117, entitled "Proposal Regarding Natural Resources." The Proposal was read by the Secretary.

Delegates Benigno R. Fitial and Pedro Igitol introduced Delegate Proposal No. 118, entitled "Proposal Regarding the Northern Marianas Youth Congress." The Proposal was read by Delegate Fitial.

Delegates Benigno R. Fitial and Pedro Igitol introduced Delegate Proposal No. 119, entitled "Proposal Regarding Public Disclosures by Elected Officials." The Proposal was read by Delegate Fitial.

Delegates Benigno R. Fitial and Pedro Igitol introduced Delegate Proposal No. 120, entitled "Proposal Regarding Public Disclosure of the Budget." The Proposal was read by Delegate Fitial.

Delegate Benigno R. Fitial and Pedro Igitol introduced Delegate Proposal No. 121, entitled "Proposal Regarding Governmental Institutions." The Proposal was read by Delegate Fitial.

Delegate Francisco T. Palacios introduced Delegate Proposal No. 122, entitled "Proposal Regarding Public Land."

Delegates Herman Q. Guerrero and Magdalena Camacho introduced Delegate Proposal No. 123, entitled "Proposal Regarding Employment and Conditions of Labor."

Delegates Herman Q. Guerrero and Magdalena Camacho introduced Delegate Proposal No. 124, entitled "Proposal Regarding the Imprisonment of Children."

Delegates Herman Q. Guerrero and Magdalena Camacho introduced Delegate Proposal No. 125, entitled "Proposal Regarding Child Labor."

Delegates Herman Q. Guerrero and Magdalena Camacho introduced Delegate Proposal No. 126, entitled "Proposal Regarding the Structure of Government."

REFERRAL OF PROPOSALS

Delegate Proposal No. 75, entitled "Proposal Regarding Public Officials.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 76, entitled "Proposal Regarding Governmental Institutions.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 77, entitled "Proposal Regarding Code of Ethics.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 78, entitled "Proposal Regarding Capital Punishment.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 79, entitled "Proposal Regarding Private Employer.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 80, entitled "Proposal Regarding the Bill of Rights.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 81, entitled "Proposal Regarding Land.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 82, entitled "Proposal Regarding Extradition.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 83, entitled "Proposal Regarding Apportionment in the House of Representatives.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 84, entitled "Proposal Regarding Public Land.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 85, entitled "Failure to Make Appropriations.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 86, entitled "Proposal Regarding Oath of Office.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 87, entitled "Proposal Regarding Existing Officers Continued in Office.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 88, entitled "Proposal Regarding Public Employees.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 89, entitled "Proposal Regarding Sea Fisheries.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 90, entitled "Proposal Regarding the Legislative Branch of Government." was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 91, entitled "Proposal Regarding the Office of Ombudsman.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 92, entitled "Proposal Regarding Revenue from Natural Resources.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 93, entitled "Proposal Regarding Justification of Governmental Programs.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 94, entitled "Proposal Regarding Personal Rights.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 95, entitled "Proposal Regarding Finance, Local Government and Other Matters.

Delegate Proposal No. 96, entitled "Proposal Regarding Official Flag.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 97, entitled "Proposal Regarding Governmental Institutions.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 98, entitled "Proposal Regarding Ombudsmen.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 99, entitled "Proposal Regarding Micronesian Claims Act.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 100, entitled "Proposal Regarding the Different Orders of Court.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 101, entitled "Proposal Regarding the Jurisdiction of the 'Supreme Court' of the Commonwealth.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 102, entitled "Proposal Regarding the Native Language of the Commonwealth of the Northern Mariana Islands.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 103, entitled "Proposal Regarding Conflicts of Interest.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 104, entitled "Proposal Regarding Bill of Rights.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 105, entitled "Proposal Regarding the Constitutions.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 106, entitled "Proposal Regarding Employment of Minorities in the Labor Force.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 107, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 108, entitled "Proposal Regarding Oath of Office.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 109, entitled "Proposes a Provision in the Commonwealth Constitution That the Following be Included in the Local Government.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 110, entitled "Proposal A Provision in the Commonwealth Executive Branch.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 111, entitled "Proposal Regarding Chamorro Language Requirement for Government Jobs.", was referred to the Committee on Governmental Institutions.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS

Delegate Felipe Atalig: I would like to introduce the following resolutions:

"Resolution No. 2:

"Resolved, that the Northern Marianas Constitutional Convention is aware of the fact that any land on Tinian which has been leased to the United States is publicly owned land, not land taken from private parties, and resolved further, that the Convention will take note of this fact in considering any proposal relating to privately owned land on Tinian."

"Resolution No. 3:

"Resolved, that the Northern Marianas Constitutional Convention, offers its best wishes to the most widely known citizen of Plains, Georgia, Jimmy Carter."

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDER OF THE DAY

Chairman Benigno Fitial: I would like to move that Committee Recommendation No.1

from the Committee on Finance, Local Government and Other Matters, regarding "Constitutional Amendment," be placed on the calendar for Second and Final Reading tomorrow, October 29, 1976.

The motion was seconded and defeated.

(12) GENERAL ORDERS OF THE DAY

Floor Leader Rasa: I move that the Convention resolve into the Committee of the Whole in order to consider Committee Recommendation No. 2 from the Committee on Governmental Institutions, regarding "The Judicial Branch of Government."

The motion was seconded and carried.

President Guerrero: I would like to call on the Delegate from Saipan, Delegate Olympio T. Borja to Chair the Committee of the Whole for today.

The Convention resolved into the Committee of the Whole at 2:26 p.m.

The Convention reconvened in Plenary Session at 3:11 p.m.

Chairman Olympio T. Borja: I would like to report that the Committee of the Whole, after thorough deliberation, has unanimously adopted Committee Recommendation No. 2 from the Committee on Governmental Institutions, regarding "The Judicial Branch of Government."

Chairman Olympio T. Borja: I now would like to move that the Convention accept my oral report on Committee of the Whole and that Committee Recommendation No. 2 from the Committee on Governmental Institutions be placed on the calendar for Second and Final Reading.

The motion was seconded and carried.

President Guerrero: I would like to call to the attention of the Delegates, that according to Rule 47, if there are any amendments, these should be in writing and distributed prior to such consideration.

Chairman Benigno Fitial: What is the decision of the Chair regarding Committee Recommendation No. 4: Constitutional Amendments, from the Committee on Finance, Local Government and Other Matters.

President Guerrero: Committee Recommendation No. 4: Constitutional Amendments, from the Committee on Finance, Local Government and Other Matters, is recognized as an amendment to Committee Recommendation No. 1: Constitutional Amendments, previously submitted by your Committee. This amendment will have to be offered during the Second Reading since Committee Recommendation No. 1 was already adopted, unamended, during its First Reading.

Chairman Benigno Fitial: I don't think it was understood in my previous motion that I was not asking for adoption of Committee Recommendation No. 4, I was asking that it be placed on the calendar for discussion.

President Guerrero: Any amendment to a Committee Recommendation that has already been adopted during its First Reading has to be made at the Second Reading.

(13) MISCELLANEOUS

Delegate Juan S. Demapan: I would like to make a few remarks.

Mr. President and fellow Delegates. The recent decisions to refer Committee Recommendation No. 3: Initiative, Referendum and Recall, indicate that there is misunderstanding and division of the House on a matter that may seemingly affect the Commonwealth at a point in time in the future.

Mr. President and fellow Delegates, the major problem we now face is that we are not thinking about Commonwealth as a whole but rather divisions of people. If this chamber continues to believe in the latter, I am sorry to say that this supposedly one Commonwealth, one people, is going to hell. What is past is past -- it's the future we look into. I, for one, strongly believe in a Commonwealth.

For only when there are differing types of governments and nations can there be a compromise. The Northern Marianas is one Commonwealth and nothing else. We shall all look ultimately for one direction. For if I were in a foreign country at one future date and someone asked me where I from, for sure I won't say I'm from Rota, but from the Commonwealth of the Northern Marianas. Therefore, I only urge each one of you to think Commonwealth.

Thank you.

Delegate Jose R. Cruz: If someone asked me where I am from, I am going to certainly answer, from the Marianas. But then I might say that I represent the individual people of Tinian.

(14) ANNOUNCEMENTS

Chairman Benigno Fitial: The Committee on Finance, Local Government and Other Matters will meet at 9:00 a.m. tomorrow morning.

Chairman Jose P. Mafnas: The Committee on Governmental Institutions will meet tomorrow morning at 9:00 a.m. in the Convention Hall.

Chairman Felipe Atalig: The Committee on Personal Rights & Natural Resources will also meet tomorrow morning at 9:00 a.m.

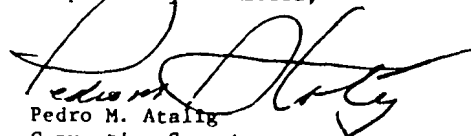
Convention Secretary: Mr. Rudy Sablan, Public Information Officer, is in the process of making biographical sketches of all the Delegates and also a pictorial record of the proceedings. He would like the Delegates to prepare their own biographical sketches and give them to him.

Delegate Juan DLG. Demapan: I move that the Convention recess until 2:00 p.m. tomorrow afternoon.

The motion was seconded and carried.

The Convention recessed at 3:20 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

TWELFTH DAY  
Friday, October 29, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:40 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 39 Delegates present. No Delegates were excused or absent.

(4) ADOPTION OF THE JOURNAL

Floor Leader Raza: Mr. President, I move for the adoption of the Summary Journal of the 11th Day.

The motion was seconded.

Chairman Benigno Fitiaf: Mr. President, there is an error on page 4, under Special Orders of the Day. It should reflect that Committee Recommendation No. 1 was from the Committee on Finance, Local Government and Other Matters.

President Guerrero: The Chair will order that such correction be made.

Motion to adopt the Summary Journal of the 11th Day carried.

(5) COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Mafnas: Mr. President, your Committee on Governmental Institutions met this morning and they are discussing the Executive Branch of Government. If I may continue, Mr. President, I will give the disposal of Delegate Proposals assigned to your Committee.

President Guerrero: Please continue.

Chairman Mafnas: Delegate Proposal No. 03, "Judicial Branch of Government.", was discussed by your Committee on the portion that discusses a court with jurisdiction over disputes involving land. Your Committee reported out on that in a Committee Recommendation made yesterday, Committee Recommendation No. 2. On the portion that proposed to create at least one judgeship to staff the court, that was also reported out in Recommendation No. 2 yesterday. On the portion proposing appointment of an attorney who is not a resident of the Northern Marianas to serve as a judge of the court, your Committee decided on Recommendation No. 2 to be silent on that in the Constitution. Also from the same Delegate Proposal, Mr. President, the request that a judge be authorized to sit temporarily on courts which decide cases not involving land, was reported out favorably by your Committee yesterday.

On Delegate Proposal No. 09, "A Proposal Regarding Special Court to Deal with Land Matters.", your Committee Recommendation No. 2 made yesterday reflects favorably on the Proposal in its entirety.

On Delegate Proposal No. 15, "Proposal Regarding the Legislative Branch of Government.", your Committee recommended (in a Recommendation to be submitted at a later date) that the bi-cameral legislature be called Northern Marianas Commonwealth Legislature and not Northern Mariana Islands Legislature. That the upper house, to be addressed as Senate, with three members from each chartered municipalities--that was tentatively agreed upon by your Committee.



That the lower house be addressed as House of Representatives and membership configuration be based on population--in a report to be submitted at a later date your Committee recommended a membership of 30 in the House of Representatives (25 from Saipan, 3 from Rota and 2 from Tinian). We have not acted on length of term for members of either house, but provide for a minimum age of 30 years in the upper house and 25 years in the lower house. These are subject to changes in the Convention Hall, Mr. President.

On Delegate Proposal No. 82, Mr. President, regarding "Extradition," your Committee has yet to reach a position on this matter. We have, in fact, discussed this Proposal this morning.

Delegate Proposal No. 85, regarding "Failure to Make Appropriations."-- your Committee has reached a favorable decision on it in its entirety.

Delegate Proposal No. 100, regarding "The Different Orders of Court."-- your Committee Recommendation No. 2 has reported that Proposal favorably.

Delegate Proposal No. 101, regarding "The Jurisdiction of the 'Supreme Court' of the Commonwealth."--that position, Mr. President, is reflected in your Committee's Recommendation No. 2.

Delegate Proposal No. 69, regarding "Pardon and Clemency.", this is a provision granting the power to the governor--your Committee reported out favorably and provided a Board of Pardon and Parole who recommends approval of any pardon or clemency.

Chairman Atalig: Mr. President, your Committee on Personal Rights & Natural Resources has considered the Recommendation No. 3, regarding "Initiative," and I believe Minority has also made a report in this regard. At this time I would like to ask the Convention Secretary, since he's one of the signatories of the minority report, to report this to the house.

Convention Secretary Atalig: There is a report to the Committee of the Whole and the Convention as a whole that the Minority feels that the required number of votes required for "Initiative" should be three-fourths of the votes cast. We submit our Minority Report in this matter.

Chairman Fitial: Your Committee on Finance, Local Government and Other Matters is still deliberating on "Local Government." At its next meeting, Mr. President, your Committee will have its final deliberation on "Revenue and Taxation Finance" and, hopefully, by Tuesday we will have a complete and final Committee Recommendation for the review and consideration of the Committee of the Whole. Thank you, Mr. President.

#### (7) INTRODUCTION AND FIRST READING OF PROPOSALS

Delegate Jose S. Borja introduced and read Delegate Proposal No. 127, entitled "Proposal Regarding Preamble."

Delegates Pedro Dela Cruz and Benigno Fitial introduced Delegate Proposal No. 128, entitled "Proposal Regarding Regulation of Business." The Proposal was read by Delegate Dela Cruz.

Delegates Henry U. Hofschneider, Jose R. Cruz, Pedro M. Atalig, David M. Atalig, Leon I. Taisacan, Pedro Dela Cruz, Prudencio Manglona, Jose Borja, Esteven King, Felix Ayuyu, Benjamin Manglona, Manuel Tenorio, Vicente Manglona, Hilario F. Diaz, Gregorio Calvo and Pedro Ogo introduced Delegate Proposal No. 129, entitled "Proposal Regarding a Land Corporation." The Proposal was read by Delegate Hofschneider.

Delegates Esteven M. King, Benigno Fitial, Henry Hofschneider, Pedro Dela Cruz and Luis M. Limes introduced Delegate Proposal No. 130, entitled "Proposal Regarding Official Languages of the Commonwealth." The Proposal was read by Delegate King.

Delegates Carlos S. Camacho, Antonio M. Camacho, Felix Ayuyu and Juan DLG. Demapan introduced Delegate Proposal No. 131, entitled "Proposal Regarding Alien Immigration Quota into the Northern Marianas." The Proposal was read by Delegate Demapan.

Delegates Francisco T. Palacios, Daniel P. Castro, Benigno R. Fitial, Manuel A. Tenorio and Luis M. Limes introduced Delegate Proposal No. 132, entitled "Proposal Regarding Executive Branch Offices." The Proposal was read by Delegate Palacios.

Delegate Magdalena Camacho introduced and read Delegate Proposal No. 133, entitled "Proposal Regarding Personal Rights."

Delegate Magdalena Camacho introduced and read Delegate Proposal No. 134, entitled "Proposal Regarding Legislative Branch."

Delegates Francisco T. Palacios, Daniel P. Castro, Juan S. Demapan, Benigno Fitial and Manuel A. Tenorio introduced Delegate Proposal No. 135, entitled "Proposal Regarding Bill of Rights." The Proposal was read by Delegate Palacios.

Delegates Francisco T. Palacios, Luis M. Limes, Manuel A. Tenorio, Juan S. Demapan and Jose S. Borja introduced Delegate Proposal No. 136, entitled "Proposal Regarding Economic Development." The Proposal was read by Delegate Palacios.

Delegates Francisco T. Palacios, Juan S. Demapan, Benigno Fitial and Manuel A. Tenorio introduced Delegate Proposal No. 137, entitled "Proposal Regarding Natural Resources." The Proposal was read by Delegate Palacios.

Delegates Francisco T. Palacios, Daniel P. Castro, Benigno R. Fitial, Manuel A. Tenorio and Luis M. Limes introduced Delegate Proposal No. 138, entitled "Proposal Regarding Education."

Delegates Juan P. Tenorio, Oscar C. Rasa, Henry U. Hofschneider and Manuel A. Tenorio introduced Delegate Proposal No. 139, entitled "Proposal Regarding Commonwealth Legislature." The Proposal was read by Delegate Juan P. Tenorio.

Delegates Manuel A. Tenorio, Magdalena S. Camacho, Ramon G. Villagomez, Jesus G. Villagomez, Juan P. Tenorio and Carlos S. Camacho introduced Delegate Proposal No. 140, entitled "Proposal Regarding Public Land Matters." The Proposal was read by the Secretary.

Delegates Larry I. Guerrero, Benigno R. Fitial and Felipe Atalig introduced Delegate Proposal No. 141, entitled "Proposal Regarding Refusal." The Proposal was read by Delegate Atalig.

Delegate Olympio T. Borja introduced and read Delegate Proposal No. 142, entitled "Proposal Regarding Preamble."

Delegates Lorenzo I. Guerrero and Benigno R. Fitial introduced Delegate Proposal No. 143, entitled "Proposal Regarding Consultation on Matters Involving the Commonwealth of the Northern Mariana Islands." The Proposal was read by Delegate Fitial.

Delegates Pedro Ogo and Carlos S. Camacho introduced Delegate Proposal No. 144, entitled "Proposal Regarding Members of the Medical, Dental, Nursing and Education Professions."

Delegates Carlos S. Camacho, Antonio M. Camacho and Felix Ayuyu introduced Delegate Proposal No. 145, entitled "Proposal Regarding Executive Branch of Government." The Proposal was read by the Convention Secretary.

Delegates Juan S. Demapan, Jose S. Borja and Pedro M. Atalig introduced Delegate Proposal No. 146, entitled "Proposal Creating Environmental Protection Board."

Delegates Juan S. Demapan, Jose S. Borja and Pedro M. Atalig introduced Delegate Proposal No. 147, entitled "Proposal Regarding Mass Transit."

Delegates Herman Q. Guerrero and Carlos S. Camacho introduced Delegate Proposal No. 148, entitled "Proposal Regarding the Taking of Census."

Delegate Jose R. Cruz offered a Proposal orally, regarding the Commonwealth Legislature, and then immediately ruled himself out of order because it was not offered in writing.

REFERRAL OF PROPOSALS

Delegate Proposal No. 112, entitled "Proposal Regarding Land.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 113, entitled "Proposal Regarding Sovereign Immunity.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 114, entitled "Proposal Regarding Legislature Matters.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 115, entitled "Proposal Regarding Land Use.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 116, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 117, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 118, entitled "Proposal Regarding the Northern Marianas Youth Congress.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 119, entitled "Proposal Regarding Public Disclosures by Elected Officials.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 120, entitled "Proposal Regarding Public Disclosure of the Budget.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 121, entitled "Proposal Regarding Governmental Institutions.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 122, entitled "Proposal Regarding Public Land.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 123, entitled "Proposal Regarding Employment and Conditions of Labor.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 124, entitled "Proposal Regarding the Imprisonment of Children.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 125, entitled "Proposal Regarding Child Labor.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 126, entitled "Proposal Regarding the Structure of Government.", was referred to the Committee on Governmental Institutions.

(8) SECOND AND FINAL READING OF PROPOSALS - None.

(9) INTRODUCTION OF RESOLUTIONS - None.

(10) UNFINISHED BUSINESS - None.

(11) SPECIAL ORDERS OF THE DAY

Chairman Fitial: Mr. President, I move that the Convention reconsider your Committee's Recommendation No. 1, regarding "Constitutional Amendment." And I also move that it be placed under General Orders of the Day on Tuesday for consideration.

The motion was seconded and carried.

(12) GENERAL ORDERS OF THE DAY

Floor Leader Rasa: Mr. President, I move that the Convention resolve into the Committee of the Whole in order to Consider Committee Recommendation No. 3, regarding "Initiative," and to consider Committee Recommendation No. 4, regarding "Bill of Rights."

The motion was seconded and carried. President Guerrero appointed Vice-President Vicente Manglona to preside over the Committee of the Whole.

The Convention resolved into the Committee of the Whole at 3:10 p.m.

The Convention reconvened in Plenary Session at 4:31 p.m.

Chairman Manglona: Mr. President, I would like to yield the floor to the Chairman of the Committee on Personal Rights to give the report.

Chairman Atalig: Thank you, Mr. President. The Committee of the Whole recommended again that Committee Recommendation No. 3 on "Initiative" is to be deferred until the next meeting, which will be on Tuesday. I would also like to report to you, Mr. President, that on the same matter the Committee's Recommendation No. 4 has been adopted by the Committee of the Whole. At this time I move that the Committee's Recommendation No. 4 on "Personal Rights" be adopted.

The motion was seconded and carried.

Floor Leader Rasa: Mr. President, Section 10 on "Free Public Education," according to the Committee's Report, provides that each person shall have the right to a free public education. If we go back and review the Recommendation which was passed by the Committee of the Whole and the Convention regarding Section 1 on "Education," which states that there shall be free, compulsory and public elementary and secondary education.....I think there is a substantial difference between the two. Public education could be considered to be institutions which are run and subsidized by the government. Compulsory public elementary and secondary education stipulates that there must be primary and secondary levels. I have to oppose the counsel's decision that we should incorporate the Article on Education as submitted by the Committee on Finance and Taxation under the Committee's Recommendation on "Free Public Education" because I think there is a substantial difference. And I do intend to come in with an amendment on the Second Reading. Thank you.

President Guerrero: I ask that any amendment be made before taking our Second and Final Reading, please. Have it in advance, written and ready to distribute among all the Delegates. That will give them a chance to read it and make the final decision in their voting.

(13) MISCELLANEOUS

Delegate Benjamin Manglona: Mr. President, I would like to make a few remarks.

Mr. President and fellow Delegates:

Today marks the 12th day of our Convention. When our Delegation entered this sacred hall of justice for the first time, we pledged ourselves to devote our full energy to the challenging task ahead of this Convention. We are here to frame a workable constitution that will guarantee the pursuit of happiness, protection and prosperity to all our people. A workable Constitution that will be equally enjoyed by the people of Saipan, Rota and Tinian. During the last 11 days, we have sat in this Convention and heard many eloquent speeches. We have heard speeches on unity. We have heard speeches on mutual trust and cooperation. We have heard speeches condemning the delegation from one or more of the municipalities. The free expression of the Delegates in this Convention is a model to all of us of the American democracy in action. We can proudly say that we are glad that we are part of America, a great nation.

We came to this Convention with some reservations. We know we are the minority. We know we will have many differences. We know that at times we may even quarrel on issues. We anticipated heated debates. But despite all these reservations, you should be grateful that we are here. We are here as your good friends and good neighbors. Let us reason together to achieve a good compromise.

Our delegation does not regret that we are sharing together in this Convention. We are getting to know and understand each other's position, day by day. We are learning to be a Saipanese while you are learning to be a Rotanese. And at the same time we are all learning to be a Tinianese. Altogether we are one people. But our ocean has divided us and our past experience has disunited us.

Today, as we frame our Constitution we seek unity, we seek friendship, and let us all hope that the products of our hard work will produce a workable Constitution that will make one island out of many islands and one people out of many people so that all generations to come can proudly say that I am glad that Saipan is my home, Rota is my home and Tinian is my home. I thank you, Mr. President.

Delegate Esteven King: Mr. President, I have a speech today, please.

Mr. President and fellow Delegates of the Northern Marianas:

With respect and honor, let's have the type of Constitution in the new Government of the Northern Marianas that we can ever hope to achieve the kind of life we desire by protection of law. The Constitution, the supreme power that there will be many changes to expect in life in the Marianas. The citizens of the Marianas will ratify the new Constitution for our country and its people for the protection of unity. The people of the Marianas will be the ones to hold the power of the Government, compromising with the personal guarantee without any foreign interference. But, let us have the type of Constitution that will give the people of the Marianas the strength of authority and responsibility that they will no longer be dependent upon outside powers to handle internal and external affairs. Let's have the type of Constitution to defend us from all advantages and disadvantages of foreigners. The Constitution will be a great guide in solving the problems that we will face in our metamorphosis to a free and strong paradise country. Mr. President, we shall preserve the heritage of the past and protect the promise of the future. Without justice under law for all and equal protection--that means the Marianas Government would not be strong without a Constitution. Mr. President and fellow Delegates, let's not make it a simple Constitution because of 'minority and majority.' Let's make it strong so that the people of the whole world will respect us and we will become the proud guardians of our islands and our people, now and forever. Thank you.

(The Plenary Session was conducted in the Chamorro language from 4:37 p.m. until 4:46 p.m.)

(14) ANNOUNCEMENTS

Chairman Fitial: Mr. President, your Committee on Finance, Local Government and Other Matters will be meeting Saturday at ten o'clock, Sunday at ten o'clock and Monday at two o'clock in their usual, regular meeting place.

Chairman Atalig: Your Committee on Personal Rights & Natural Resources will meet at 1:30 p.m. on Saturday. Their meeting times for Sunday and Monday will be announced later.

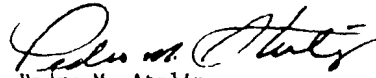
Delegate Benjamin Manglona: Mr. President, Chairman Matuan asked me to announce that your Committee on Governmental Institutions will be meeting at ten o'clock Sunday morning.

Delegate Jose R. Cruz: Mr. President, I move that the Convention recess until nine o'clock, Tuesday morning.

The motion to recess was seconded and carried.

The Convention recessed at 4:55 p.m.

Respectfully submitted,


  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
VERBATIM JOURNAL (TRANSCRIPT)

FOURTEENTH DAY  
Sunday, October 31, 1976

There was no Plenary Session this date, however, there were committee meetings.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

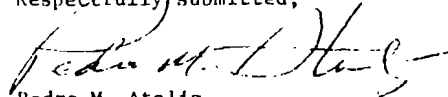
CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

FIFTEENTH DAY  
Monday, November 1, 1976

There was no Plenary Session this date, however, there were committee meetings.

Respectfully submitted,



Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

SIXTEENTH DAY  
Tuesday, November 2, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 9:18 a.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 38 Delegates present. Delegate Felipe Atalig was excused. No Delegates were absent.

Floor Leader Rasa: I move that the Delegate not in attendance be granted leave of absence.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move we adopt the Summary Journals for the 12th, 13th, 14th and 15th Days.

The motion was seconded and carried.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters has completed its analysis of two important subjects: taxation and debt, and we have the honor of presenting this Convention this morning two sets of Recommendations and accompanying Reports for consideration of the Committee of the Whole. Copies of these documents have already been distributed to each Delegate this morning.

Committee Recommendation No. 5 deals with taxation. Two critical matters are respectfully proposed for consideration. First, your Committee strongly recommends that the Constitution prohibit levying of taxes or appropriation of funds except for a public purpose. Public funds could not be used for private purposes. This restriction, Mr. President, would not apply to appropriations for assistance to industrial development projects in which private investors also participate when the undertaking serves a public purpose for the benefit of the Commonwealth.

Second, your Committee has a recommendation on the subject of tax exemption. We concluded, after careful analysis, that flat prohibitions and specific exemptions should not be in the Constitution. But we recommend and commend to the consideration of the Delegates a constitutional requirement that the Governor prepare and submit to the Legislature, every five years, a report on the use of statutory tax exemptions that may be granted. This report would analyze the use, social, and economic impact of the exemption, as well as its consequences with respect to achieving a balanced budget.

Mr. President, the Committee on Finance, Local Government and Other Matters also submits Recommendation No. 6 dealing with Commonwealth debt. In the judgment of your Committee, it is imperative that borrowing for public improvements be done with caution, and pursuant to well-ordered physical improvement plans. Moreover, it is imperative that limitations be placed on the amount of debt that can be incurred by the Commonwealth Government and its political subdivisions.

Therefore, we propose that the debt limitation contained in the Covenant be made a part of the Constitution. That will assure that borrowing by way of general obligation bonds be limited at any one time to not more than ten percent (10%) of the assessed value of property in the Commonwealth.



We, also, have a second recommendation to control debt. This applies both to general obligation and revenue bonds. Under the Committee's proposal, no public debt shall be authorized or incurred unless approved by a two-thirds vote of the members in each house of the Legislature.

The capacity of our people to achieve their dreams cannot be done without cost. We must plan carefully, consider wisely, and spend cautiously. This is the essence of the two sets of recommendations that we submit this morning.

I thank you.

Chairman Jose P. Mafnas: Your Committee on Governmental Institutions is still considering the "Executive Branch of Government."

(7) INTRODUCTION AND FIRST READING OF PROPOSALS

Chairman Benigno Fitial: At this time I would like to introduce Committee Recommendations No. 5 and 6 from the Committee on Finance, Local Government and Other Matters, concerning Commonwealth Taxation and Commonwealth Debt, for First Reading.

Referral of Proposal

Delegate Proposal No. 127, entitled "Proposal Regarding Preamble.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 128, entitled "Proposal Regarding Regulation of Business.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 129, entitled "Proposal Regarding a Land Corporation.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 130, entitled "Proposal Regarding the Official Languages of the Commonwealth.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 131, entitled "Proposal Regarding Alien Immigration Quota into the Northern Marianas.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 132, entitled "Proposal Regarding Executive Branch Offices.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 133, entitled, "Proposal Regarding Personal Rights.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 134, entitled "Proposal Regarding Legislative Branch.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 135, entitled "Proposal Regarding Bill of Rights.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 136, entitled "Proposal Regarding Economic Development.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 137, entitled "Proposal Regarding Natural Resources.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 138, entitled "Proposal Regarding Education.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 139, entitled "Proposal Regarding the Commonwealth Legislature.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 140, entitled "Proposal Regarding Public Land Matters.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 141, entitled "Proposal Regarding Refusal.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 142, entitled "Proposal Regarding Preamble.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 143, entitled "Proposal Regarding Consultation on Matters Involving the Commonwealth of the Northern Mariana Islands.", was referred to the Committee on Governmental Institutions and the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 144, entitled "Proposal Regarding Members of the Medical, Dental, Nursing and Education Professions.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 145, entitled "Proposal Regarding Executive Branch of Government.", was referred to the Committee on Governmental Institutions.

Delegate Proposal No. 146, entitled "Proposal Creating Environmental Protection Board.", was referred to the Committee on Personal Rights & Natural Resources.

Delegate Proposal No. 147, entitled "Proposal Regarding Mass Transit.", was referred to the Committee on Finance, Local Government and Other Matters.

Delegate Proposal No. 148, entitled "Proposal Regarding the Taking of Census.", was referred to the Committee on Finance, Local Government and Other Matters.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY - None

(12) GENERAL ORDERS OF THE DAY

President Guerrero: We have three Committee Recommendations to be discussed today: Committee Recommendation No. 3 from the Committee on Personal Rights & Natural Resources, regarding "Initiative.", and reconsideration of Committee Recommendations No. 1 and 4 from the Committee on Finance, Local Government and Other Matters, regarding "Constitutional Amendment."

Floor Leader Rasa: I move that the Convention resolve itself into the Committee of the Whole.

The motion was seconded and carried.

President Guerrero: I would like to call on Delegate Jose R. Cruz, from Tinian, to Chair our Committee of the Whole this morning.

The Convention resolved into the Committee of the Whole at 9:30 a.m.

The Convention reconvened in the Plenary Session at 10:53 a.m.

Chairman Jose R. Cruz: Mr. President, your Committee of the Whole begs to report as follows: Proposal of Amendment No. 1 and Committee Recommendation No. 4 are approved by your Committee that it shall be incorporated in Section 5, stating: "An amendment proposed by Legislative Initiative shall be approved if it receives an affirmative vote of the majority of the votes cast. An amendment proposed by constitutional convention or by popular initiative shall become effective if approved by a majority of the votes cast and at least two-thirds (2/3) of the votes cast in two of the three municipalities."

The next report: Your Committee of the Whole begs to report as follows: that the matter brought before the Committee for further reconsideration on No. 3 "Initiative", and the Proposal by the Tinian and Rota Delegations be approved.

President Guerrero: That includes the amended version of the ...

Chairman Jose R. Cruz: That is correct, Mr. President. As I pointed out, the Proposal presented by the Delegations of Rota and Tinian.

President Guerrero: For the record, I want to call attention to the amendment. Can you also give that?

Chairman Cruz: Yes, Mr. President, your Committee approved as follows:

Section 1: Initiative. The people may enact laws by initiative.

a) An initiative petition shall contain the full text of the proposed law and shall be signed by at least twenty (20) percent of the total number of voters qualified to vote on the proposed law and if the petition proposes a general law that affects each chartered municipality the petition shall be signed by at least twenty (20) percent of the qualified voters in each of two of the chartered municipalities.

b) Initiative petitions shall be filed with the Attorney General for certification that the requirements of Section 1(a) have been met.

c) Initiative petitions certified by the Attorney General shall be submitted to the voters at the next regular general election, provided that such election is held at least 180 days from the date the initial petition is filed with the Attorney General.

d) An initiative petition submitted to the voters shall become law if approved by a two-thirds (2/3) majority of the registered voters, and shall take effect thirty (30) days after the date of the election unless the initiative petition itself otherwise provides.

Chairman Benigno Fitial: I move that the Convention adopt Committee Recommendation No. 4 as adopted by the Committee of the Whole on the amended constitutional provision regarding "Constitutional Amendments."

The motion was seconded.

Delegate Benjamin Manglona: I hate to disrupt the motion, but I need to be enlightened on a provision in our Rules of Procedure that all Constitutional provisions have to be approved by a three-fourths (3/4) vote. Is this the proper time to apply this provision in our Rules of Procedure?

President Guerrero: For your information, at this time we are only adopting the report from the Committee of the Whole. After that, if there is a motion for passage on First Reading in the Plenary Session, then would be the appropriate time for any debate. I would like to make the Delegates aware that any proposed amendments to be taken up on Second Reading should be prepared in writing, distributed and thoroughly discussed during the Committee of the Whole.

Floor Leader Rana: In that connection, also, we still have two readings coming up. One is the Second Reading, and we will resolve ourselves into Committee of the Whole and then go back into the Plenary Session. This will give those who want to propose amendments two chances. Plus, after the construction of the provisions, there will be a three-fourths (3/4) majority vote required. It is necessary to put all these pieces together so that we can see where we stand. If we continue to go on a piece-meal basis, we may delay the Constitution, and I suggest that all the people wishing to make amendments note that we distribute the Committee Reports before we place them on General Orders for the Day, so this should give them ample time to have their amendments in written form. This would also allow ample time for the Delegates to review amendments. So, we still have three chances to amend all these provisions.

Delegate Benjamin Manglona: I certainly appreciate the explanation made by our Floor Leader, but I am still troubled by the procedures that, after we get all the constitutional provisions formulated, the three-fourths (3/4) vote of the entire membership would be required. I feel that the Rota Delegation would do the Convention an injustice because if one or two of the provisions are not met to our satisfaction and we vote against the whole package. I would prefer that we would vote on the merit of each constitutional provision separately and then approve the entire package on the Second Reading.

Delegate Jose R. Cruz: Point of information. As I understand it, the motion is simply requesting that the Convention accept the Committee of the Whole's report. Is that true?

President Guerrero: That is correct. We will now vote on the motion made to accept Committee Recommendation No. 4 from the Committee of the Whole.

A voice vote was taken and the motion carried.

Delegate David Maratita: I would like to move that we adopt the report of the Committee of the Whole regarding "Initiative," as amended, in Committee Report No. 3 from the Committee on Personal Rights and Natural Resources.

The motion was seconded and carried.

Floor Leader Raza: I want it to be clear, that we adopt the Report as amended.

President Guerrero: Yes, adopted as amended. Now we should have a motion for the passage of the First Reading.

Floor Leader Raza: There is in the Rules of Procedure and Robert's Rules of Order, "equivalence of terms." Motion to adopt, motion to accept and motion to pass and the same. There is no difference.

President Guerrero: That is the reason a Delegate has to be aware of what we are adopting. That means that any passage of a Committee's Report in this session means that it has been passed on its First Reading.

Delegate Jose R. Cruz: I would please like to ask that the Delegates of this Convention refrain from parliamentary trickery. Just a remark.

Delegate Herman Guerrero: Could I be enlightened? What constitutes First Reading and Second Reading of an article. I think when we pass a Committee's Recommendation with an article attached, that should not be constituted as a First Reading of that article. Is that the case?

President Guerrero: When the Committee of the Whole reports to the Plenary Session, and it is in favor of a particular Committee Recommendation, then that is the passage on the First Reading. This also includes passage of the attached article.

Delegate Jose R. Cruz: I would like to ask for some direction for my own enlightenment from the consultants on the matter brought before this Convention by the Floor Leader. Could they explain the three aspects mentioned in regard to acceptance, adoption and passage.

Floor Leader Raza: I don't think there is any need. I quote from Robert's Rules of Order Newly Revised, page 422, fourth paragraph:

"EQUIVALENCE OF TERMS; INCORRECT MOTIONS. As applied to the assembly's action with respect to board or committee reports or any of their contents, the expressions adopt, accept, and agree to are all equivalent -- that is, the text adopted becomes in effect the act or statement of the assembly. It is usually best to use the word adopt, however, since it is the least likely to be misunderstood.

A common error is to move that a report "be received" after it has been read -- apparently on the supposition that such a motion is necessary in order for the report to be taken under consideration or to be recorded as having been made. In fact, this motion is meaningless, since the report has already been received. Even before a report has been read, a motion to receive it is unnecessary if the time for its reception is established by the order of business, or if no member objects."

Consultant Willens: I concur with the Robert's Rules of Order and the statement that was made by the Floor Leader. I think that the important point is that you are approving matters in principle by the Committee of the Whole and your reporting it to the full Convention and the procedures, as I understand the Chair and the Floor, are that receipt of that report amounts to approval, in principle, on First Reading. That is the way I understand the rulings of the Chair and the Floor Leader and I understand that is consistent with the Procedures that you have adopted and Robert's Rules of Order.

President Guerrero: Just as a reminder, we have that in item 35, of our Rules of Procedure. It states, "In cases concerning which the Rules contain no applicable provisions, the proceedings shall be controlled by Robert's Rules of Order."

Delegate Olympio T. Borja: There has been quite a bit of confusion, and I have shared in some of this confusion, especially as stated by Delegate Benjamin Mangiona.

When we accept the report from the Committee of the Whole we have also accepted the Committee Recommendation for the First Reading. This is, in essence, what all the discussion has been about. I hope this is clear to each Delegate.

Jose R. Cruz: While ignorance is not an excuse, I wish to appeal to the Chair, that the distinguished Delegate from Rota, Benjamin Manglona, emphatically expressed to this Convention, when you pose such a question, whether this Convention is merely accepting the Committee's Report, or is it accepting it on First Reading, Second Reading or Third Reading, for that matter.

Delegate David Maratita: I think that matters under General Orders of the Day which are recommended for acceptance by the Plenary Session by the Committee of the Whole, that would constitute First Reading.

President Guerrero: That is correct of any report adopted by the Committee of the Whole.

Delegate David Maratita: Now the Committee Recommendation will go to Second and Final reading on the Order of Business.

Floor Leader Rasa: I just want to point out that there is no need for us to follow Robert's Rules of Order since the adoption of Committee Recommendations is outlined in our Rules of Procedure. I don't think there is any procedural problem.

(13) MISCELLANEOUS

Delegate Benjamin Manglona: I am somewhat disappointed, because I understand that we have a procedural problem in this Convention. According to Public Law 4-45, and also stipulated in our Rules of Procedure, any provision for the Constitution must pass by a three-fourths (3/4) majority vote. I still don't understand at what point we are to apply that provision. I think the procedure must be stipulated if that is to apply to First Reading, Second Reading or whatever. We need to have assurance that no Constitutional Provision will be passed without following the provisions provided. Is it Third Reading that has to be roll call in order to see if three-fourth majority want acceptance of a provision? We are very much concerned as to this procedure.

President Guerrero: The most appropriate time to use the 3/4 majority vote is when a Recommendation is being considered for Second and Final Reading.

Delegate Olympio T. Borja: I want to supplement the ruling made by the President, in that, the Final Reading is the time for the Convention to pass a provision with three-fourths (3/4) majority. To give you one good example, the Secretarial Order for the new Legislature, required two readings. The First Reading was mostly discussion, but the Final Reading required a two-thirds (2/3) majority vote of the membership. The First Reading appears to be mostly discussion and the Second and Final Reading is where we vote in compliance with the Public Law.

Floor Leader Rasa: It is very possible for a three-fourths (3/4) majority on the First Reading and the Second Reading not to meet the three-fourths (3/4) majority. So that is why we have to have a 3/4 majority approval on the First Reading, not the Second Reading.

Delegate Jose R. Cruz: I just want the Chair to insure that a three-fourths (3/4) majority vote requirement will be administered on the Second Reading.

President Guerrero: You can be sure, this requirement will be made by the Chair.

(14) ANNOUNCEMENTS

Chairman Benigno Fitial: There will be a joint meeting of the Committees on Finance, Local Government and Other Matters and Governmental Institutions this afternoon at 2 o'clock.

Vice Chairman Palacios: The Committee on Personal Rights and Natural Resources will be at 1:30 p.m. this afternoon.

Delegate Pedro Dela Cruz: Point of privilege. Friday we had an Executive Session, yet Saturday morning, the newspaper covered the discussion regarding our Executive Session. What is the purpose of an Executive Session if the deliberations are going to be covered in the newspaper?

President Guerrero: I saw the newspaper, too, for your information, and I was a little disgusted because there were details of what we discussed.

Delegate Pedro Dela Cruz: Also, for the record, I would like to make it clear that the Rota and Tintan Delegations were not tight-lipped at that time. We justified our intentions, and that's to be clarified.

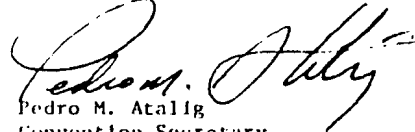
President Guerrero: I urge that if you meet with the Pacific Daily News representative again, make him correct it to show your position.

Floor Leader Rana: I move that the Convention recess until 2:00 p.m. tomorrow afternoon.

The motion was seconded and carried.

The Convention recessed at 11:20 a.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

SEVENTEENTH DAY  
Wednesday, November 3, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:05 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 37 Delegates present. Delegates Carlos S. Camacho and Manuel A. Tenorio were excused. No Delegates were absent.

Floor Leader Rasa: I move that those Delegates not in attendance be granted leave of absence.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move we adopt the Summary Journal for the 16th Day.

The motion was seconded and carried to adopt the Summary Journal for the 16th Day.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters has made remarkable progress today in the matter regarding, "Local Government." Tomorrow we will have final determination on how the Local Government Provision will be designed in our Constitution.

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources has completed their work on "Public Lands" and it is expected that some time tomorrow this particular report will be given to the House. The Committee is now working on "Natural Resources", which is one of the very important issues to this Convention.

Chairman Jose P. Mafnas: Your Committee on Governmental Institutions will submit its report on "Legislative Branch" tomorrow at this time.

President Guerrero: I would like to ask all the Chairmen to please make a summary report of all the Delegate Proposals regarding the action that has been taken by your Committee for the convenience of all the Delegates. This will help us know what action has been taken on the Delegate Proposals.

(Delegate Manuel A. Tenorio entered the Convention Hall.)

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS - None

(8) SECOND AND FINAL READING OF PROPOSAL - None

(9) INTRODUCTION OF RESOLUTIONS - None

(10) UNFINISHED BUSINESS - None

- (11) SPECIAL ORDERS OF THE DAY - None  
(12) GENERAL ORDERS OF THE DAY

President Guerrero: We have two items on our agenda to be discussed today. These are Committee Recommendation No. 5 from the Committee on Finance, Local Government and Other Matters and Committee Recommendation No. 6 from the same Committee.

Floor Leader Rasa: I move that the Convention resolve into the Committee of the Whole.

The motion was seconded and carried.

President Guerrero: At this time, I would like to ask the First Vice from Rota, Benjamin Manglona, to Chair the Committee of the Whole

*There is more*

The Convention resolved into the Committee of the Whole at 2:

The Convention reconvened in Plenary Session at 2:30 p.m.

Chairman Benjamin Manglona: Your Committee of the Whole, to which I have two Recommendations, is pleased to report the following: Committee Recommendation No. 5, regarding "Commonwealth Taxation" and Committee Recommendation No. 6 regarding "Commonwealth Debt," have been unanimously adopted by the Committee of the Whole.

Chairman Benigno Fitial: I move that the Convention adopt Committee Recommendation No. 5, regarding "Commonwealth Taxation" and Committee Recommendation No. 6 regarding "Commonwealth Debt" from the Committee on Finance, Local Government and Other Matters.

The motion was seconded and carried.

The adopted Articles are as follow:

ARTICLE \_\_\_\_\_  
TAXATION AND FINANCE

Section 1: Public Purpose. No tax shall be levied or appropriation of money made, directly or indirectly, except for a public purpose.

Section 2: Report on Tax Exemptions. Every five years the governor shall prepare a report to the legislature that assesses the use and the social, fiscal and economic impact of any tax exemptions established by law. The report shall include any recommendations by the governor on exemption policy or laws.

ARTICLE \_\_\_\_\_  
COMMONWEALTH DEBT

Section 1: Public Debt Limitation. No public indebtedness other than bonds or other obligations of the government payable solely from the revenues derived from any public improvement or undertaking shall be authorized in excess of ten percentum of the aggregate assessed valuation of the property within the Northern Mariana Islands or for any operating expenses of the Commonwealth government or its political subdivisions.

Section 2: Public Debt Authorization. No public debt shall be authorized or incurred unless approved by two-thirds (2/3) of the members in each house of the legislature.

- (13) MISCELLANEOUS

Delegate Olympio T. Borja: Mr. President, distinguished Delegates, ladies and Gentlemen:

As we enter into the third week of our work here, I have some observations which I believe may be useful and helpful to us all.

Like all of us, I want to see the rest of the 50 days remaining to be utilized in the best possible fashion in order to formulate the best Constitution for all the people of the Northern Mariana Islands.



In this connection, Mr. President, while we have yet to hold public hearings on some of our proposals, committee work has progressed well, and we have molded some of the basic concepts for our Government.

In terms of the judicial system, there is general basic agreement, but we still find problems with the executive, especially on the degree of autonomy for local government.

Mr. President, I strongly believe that if we trust each other here in this meeting, then it will be both easy and possible to create a government structure which will protect the interests of everyone.

Unfortunately, recent debate on certain issues has thus far left me impressed with the progress so far, but distressed at the certain issues -- which should not be major issues -- appear to be major obstacles blocking our path to a smooth and rapid end to our proceedings.

I have seen a lot of references in the news media about so-called "geographical differences" at this Convention. For myself, however, I wonder just what geographic differences are being referred to?

I had always thought when we negotiated the Covenant, we were talking about the Northern Mariana Islands -- not the Commonwealth of Rota, the Commonwealth of Tinian and the Commonwealth of Saipan. Mr. President, let us recall that we are drafting neither a Declaration of Independence, nor the Constitution of an emerging nation. What we are drafting in point of fact is very similar to that of a State Constitution, with the Covenant and the U. S. Federal Constitution as compelling and practical examples.

Certainly, the point our colleagues from Tinian and Rota emphasized is not lost on us; we know that they have been neglected in the past under a Trust Territory Administration. This was not our fault. What happened in the past should not be repeated, and that, of course, is the very point the distinguished Delegates from Tinian and Rota are making.

I, for one, certainly believe and support the concept and the practice of giving more autonomy to local areas, to all chartered municipalities with the further thought that it will be the Commonwealth Legislature which will provide the necessary funds to implement priority programs and projects to the municipalities according to their requirements and demands -- and which funds will be managed and controlled by them in a decentralized fashion. But, at the same time, we should not, and we cannot afford to let some of our differences in the manner of representation paralyze this Convention, and inhibit it from carrying out its task.

Related to this, Mr. President, I recall a statement I prepared for the Covenant, signed by President Ford in Washington, D. C. What I concluded in that statement was that we are proud of becoming a part of the United States and that we pledge that America will be proud of us.

Mr. President, not only are the eyes of our representatives, the people of the Northern Mariana Islands upon us, but also the attention of our friends in the Territory of Guam, the Trust Territory, and the Executive Branch and Congress of the United States, as well as our future fellow Americans. What are they to think of our deliberations? Are we truly equal to the task at hand?

Surely, Mr. President, the result of this Convention, and the way in which we go about drafting our Constitution, will rightfully raise or lower our stature in the eyes of those who are watching us. Therefore, I for one, ask us all to set aside our differences, and to concentrate on providing basic protections and legal rights, equity and fairness for all the people of the Northern Mariana Islands.

The structure of the executive and legislative branches, as it has been provided in both State and Federal Constitutions, has proved workable despite the vast and real geographic and demographic differences in the United States of America. I see no reason why such a basic approach cannot work here in the Northern Marianas.

Some voices have been raised over the issue of representation in a bicameral legislature: some Delegates claim they are concerned over the respective powers of representatives based on region versus population. But, Mr. President, it

would appear to me that our job here consists of setting the general guidelines; we are not here to do the legislature's battle; we are here to create a structure containing checks and balances; we are not here to constrain or otherwise limit the option and undermine the prerogatives of the future legislative branch.

For these reasons, Mr. President, I sincerely ask us all to concentrate on the main objective and that is a workable Constitution, consistent and in conformance with the Covenant and with the Constitution of the United States of America.

Of course, we realize that no product of human endeavor is perfect, the Constitution and the Covenant included, and that is the reason why provisions are made for amendment of those documents.

Therefore, let us at this point in history, try to forge together the most reasonable, equitable and effective Constitution for the Northern Mariana Islands. Let us not contemplate extension, for extension of our legal life of 50 days would only prolong debate over some issues which are perhaps more properly within the realm of our future government. Additionally, we must not let our differences create the potential for disapproval of this historic document. Instead, let us work together so that when we come to the final product, we will be able to take pride in having discharged our duties and responsibilities in a commendable manner on behalf of our constituents.

We have the opportunity, at this time, to set a shining example for other Island areas under U. S. jurisdiction, and to prove that we are worthy of the trust placed in us by the United States, and to truly make the people of America proud to have us as members of their political family.

The choice is up to us. Thank you, Mr. President.

Chairman Benigno Fitial: Mr. President and fellow Delegates. I speak today concerning a matter which, I fear, threatens the success of our Convention. I refer to the spirit of narrow localism with which some Delegates are so pronoucnely concerned.

Some of our colleagues tell us, "we are a minority, therefore, we must have protection; for we cannot trust the new government." Mr. President, if any group is a minority in these Islands, it is the Gupalao. If discrimination is to be feared, surely we must fear it more than anyone else. The late President Roosevelt once said, "There is nothing to fear, but fear itself." The Gupalao do not demand special arrangements; we do not assume that the new government will treat us badly. Mr. President, the Gupalao in the Northern Marianas number 4,000 people. If we wished, we too could demand special arrangements under the name of "protection." But we do not. We realize that our Commonwealth can succeed only through mutual trust and cooperation. We understand that insistence on special arrangements can destroy that spirit of trust, thereby destroying the Commonwealth before it is even underway.

We, the Gupalao from Saipan, even without a single Representative in the Northern Marianas Legislature, are now ready to place our faith in the honesty, integrity, and good sense of the majority. All I ask from the Delegates from Rota and Tinian is that they do no less. Thank you, Mr. President.

Chairman Felipe Atalig: I am deeply touched by the remarks made by Delegate Fitial and I am in support of the speech that he made.

Delegate Benjamin Manglona: I am somewhat disturbed by the continuous accusation of some Delegates that we are delaying the work of this Convention. We are working together with you. I am sorry, if a times, we are raising issues. I think, in order to understand each other better, we have to raise issues. I think it would not be nice for any of us to condemn a municipality Delegation. I appreciate the concern raised by the speaker. Also, in regard to the minority on Saipan, I certainly respect the speaker's views, but one thing we have to remember is that the minority here on Saipan is more fortunate than the minority in Rota and Tinian. The minority on Saipan are the most fortunate minority, because they have access to good public health care; they have access to good schools; they have access to good roads; they have access to good utilities; they have access to good government service. Saipan's minority is the most fortunate minority.

I am sorry to make this remark and I wish the record to show my concern.

Delegate Pedro Dela Cruz: I would be very satisfied if someone could clarify for me, how are we delaying the work of the Convention?

President Guerrero: The Chair does not feel that this is the right time for debate on this particular issue. I believe that all the Delegates in this Convention are working in a most cooperative manner and the Chair recognizes that this should be the case during this Convention. I will not recognize anymore speakers in this regard.

Chairman Benigno Fitial: I just want to cheer-up the Convention. I want to propose that we, the Convention, send a congratulatory message to the new President of the United States, whoever it may be.

Delegate Felipe Atalig: A few days ago, I introduced a Resolution regarding Jimmy Carter and I think it is proper at this time to consider such a Resolution.

President Guerrero: For your information, Chairman Atalig, the Chair recognizes the urgency of that Resolution. As you were notified earlier today, action will be taken later on in the session.

Delegate David Maratita: I want to remind Delegate Atalig, that I think we should defer the Resolution regarding, Jimmy Carter, until we know for sure he is the new President.

(14) ANNOUNCEMENTS

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters will be meeting tomorrow at 9:00 a.m.

Chairman Jose P. Mafnas: Your Committee on Governmental Institutions will be meeting immediately after this session.

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources will be meeting immediately after this session.

President Guerrero: The Committee on Organization and Procedures will meet immediately after this session in the President's Office.

Delegate Juan DLG. Demapan: I move that the Convention recess for today until 2:00 p.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 2:50 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

EIGHTEENTH DAY  
Thursday, November 4, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:05 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 39 Delegates present. No Delegates were absent or excused.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move we adopt the Summary Journal for the 17th Day.

The motion was seconded and carried.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS

Chairman Jose P. Mafnas: I would like to report on the disposal of Delegate Proposals by the Committee on Governmental Institutions.

Delegate Proposal No. 139, entitled "Proposal Regarding the Commonwealth Legislature," states:

1. The new Commonwealth Legislature shall be on a part time basis for the first seven years of its existence.
2. The salary of the Upper House of the Commonwealth Legislature shall be set at \$1,200.00 per annum the first seven years of the Legislature's existence.
3. The salary of the Lower House of the Commonwealth Legislature shall be set at \$1,000.00 per annum the first seven years of its existence.

Your Committee feels that this Proposal would be most economical and acceptable in principle, however, it is the feeling of the Committee to reject the Proposal in its entirety. We want our Legislature to be on a full time basis and to be compensated accordingly, in order to obtain qualified people.

Delegate Proposal No. 134, entitled "Proposal Regarding Legislative Branch," states:

1. Provides reapportionment at least every 15 years;
2. Provides a special election to fill vacancy for unexpired term of more than one year; appointment by Governor, less than one year.
3. Any member of Congress, i. e., Senator or House, may not hold any other public office or employment.
4. Any legislation of appropriation should be passed by 3/4 votes of each of the two houses.

Your Committee feels reapportionment should take place at least every 10 years. Special election should be conducted to fill vacancy for unexpired term of more than one year. The Governor should appoint those candidates who received the next highest vote if the vacancy is for unexpired term of less than one year, provided the appointee is from the municipality in which the vacancy exists. The Committee also feels that no member of the Legislature shall be permitted to hold any office in the Judiciary and Executive Branches a member of the Legislature shall not be permitted to serve on any board or regulatory agency, whether a voting member or non-voting.

Delegate Proposal No. 90, entitled "A Proposal Regarding the Legislative Branch of Government," states:

1. Requires that members of the Legislature be elected by the cumulative voting system.

I regret to report that this Proposal is not acceptable at this time. The one man - one vote principle is in the best interest of our future Commonwealth Government.

Delegate Proposal No. 75, entitled "Proposal Regarding Public Officials," states:

1. Provides that the minimum age for Senator be 25 years;
2. Provides that minimum age for Representative be 21 years;
3. Provides that minimum age for Governor be 30 years;
4. Provides that minimum age for Mayors be 25 years; and
5. Provides that minimum age for Attorney General be 25 years.

Your Committee, upon reconsideration, has accepted this proposal in principle.

Delegate Proposal No. 62, entitled "Proposal Regarding Immunity," has been accepted by your Committee in principle.

Delegate Proposal No. 114, entitled "Proposal Regarding Legislative Matters," states:

1. Provides that no member of the Northern Marianas Legislature be a voting member of any board, group or body established by that Legislature;
2. Provides further that no legislation be enacted contradictory to the purpose provided above;
3. Provides further that no appointments which may be provided by law be made contradictory to this provision.

Your Committee recommends acceptance of this restriction whether a voting member or non-voting member. This Proposal is along the same line as Delegate Proposal No. 134, which I have already reported on.

Mr. President, your Committee on Governmental Institutions is now ready to present to the Convention its Recommendation No. 3 on the "Legislative Branch." Your Committee recommends that the Convention adopt, in principle, the Constitutional provisions with respect to the Legislative Branch of government which we will now submit.

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources has submitted their Committee Recommendation No. 5, regarding "Public Lands." We would like to request that the Delegates take time in going over the report and we also request that Committee Recommendation No. 5 be placed on tomorrow's calendar. Furthermore, in compliance with the Chair's request yesterday, regarding the status of Delegate Proposals, I wish to report that attached to Committee Recommendation No. 5 is a status report on Delegate Proposals beginning on Page 21.

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters is still deliberating on the subject of "Local Government." In regard to your request for a report on Delegate Proposals, your Committee will submit a written status report.

#### (7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS

Chairman Felipe Atalig: I wish to introduce Committee Recommendation No. 5, regarding "Public Lands," to be adopted on the First Reading.

Chairman Jose P. Mafnas: Committee Recommendation No. 3, regarding "Legislative Branch of Government," from the Committee on Governmental Institutions is ready to be placed on tomorrow's calendar.

President Guerrero: We will place both Committee Recommendation No. 5 from the Committee on Personal Rights and Natural Resources and Committee Recommendation No. 3 from the Committee on Governmental Institutions on the calendar tomorrow under General Orders of the Day.

#### (8) SECOND AND FINAL READING OF PROPOSALS - None

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY - None

Delegate Hilario Diaz: Point of order. I believe we passed one item on our agenda and that is "Introduction of Resolutions."

(9) INTRODUCTION OF RESOLUTIONS

Delegate Hilario Diaz: Actually, I do not have any resolution to introduce at this time, however, I would like to re-introduce the resolution submitted by Chairman Atalig the other day. Since we all know now that Jimmy Carter is the President-Elect of the United States, I would certainly like to see the resolution become a reality by this Convention.

Chairman Benigno Fitial: I do have a resolution to introduce regarding this, in order to extend our congratulations and greetings to the newly elected President of the United States, and I would like the Secretary to read the resolution.

Convention Secretary: Resolution No. 4:

"A Resolution

The Constitutional Convention of the Northern Mariana Islands meeting in Plenary Session on the 4th Day of November, 1976.

WHEREAS, the people of the Northern Mariana Islands pursuant to the Covenant with the United States of America are engaged in the historic task of drafting a constitution for the Government of the Commonwealth of the Northern Mariana Islands in political union with the United States of America; and

WHEREAS, the Constitutional Convention has heard the results of the national election for President of the United States; whose term of office will take place when the Constitution now being drafted comes into being; and

WHEREAS, the people of the Northern Mariana Islands desire to secure wholesome, effective and cooperative relations with the Government of the United States of America, now and in the future; and

WHEREAS, such good relations involve close ties between our people and the Government of the United States in Washington and the elected officers of the United States;

NOW, THEREFORE, MEETING IN CONSTITUTIONAL CONVENTION,

RESOLVED, that the Greetings and Best Wishes of the Delegates of the Constitutional Convention of the Northern Mariana Islands are expressed to The Honorable James Earl Carter on the occasion of his stunning victory as President of the United States; and

RESOLVED FURTHER, that the Secretary of the Constitutional Convention is directed to send a copy of the text of this Resolution to The Honorable James Earl Carter."

President Guerrero: I believe the legal consultants should review this Resolution before it's sent.

Chairman Felipe Atalig: I think it is also proper that this Convention recognize the work of the outgoing President of the United States.

(12) GENERAL ORDERS OF THE DAY - None

(13) MISCELLANEOUS

Chairman Felipe Atalig: Mr. President and fellow Delegates to this Convention. This afternoon I want to take this opportunity to address a few remarks to my colleagues concerning our work here.

At the outset, Mr. President, I want to associate myself with remarks made earlier by some Delegates, concerning the need for harmony, cooperation, and just plain hard work needed to make this Convention a successful one.

As we all know, the events leading to and including this very Convention epitomize what is evasively termed as the "democratic process"; a phrase which is not without some substantial meaning as evidenced by the American Resolution Bicentennial celebrated in the United States this year.

This Convention was conceived in freedom and democracy and is dedicated to foster that concept and practice.

The framing of Constitutions is not an easy task, whether it be a State or National, whether the goal be separate or political entity from one polity or merge it with another.

One might look back to the drafting of the U. S. Constitution which replaced the unworkable Articles of Confederation; the stage setting for that meeting in Philadelphia took place in the wake of a national depression and a rebellion. During it, there was considerable disagreement, protest, and dissension -- yet ultimately to their credit, one of the most workable, flexible, and durable Constitutions in the world was formulated and later approved. In fact, Mr. President, if memory serves correctly, many of the same issues addressed at that Convention in 1787 are being here today in the Northern Marianas in 1976.

For this reason it is understandable -- to me at least -- some of the confusion and complaints we have heard here in our meeting place. It is understandable that this is the first time some Delegates have had contact with such a sophisticated and complex matter.

Related to this, I want to assure the Convention that the work of the Committee on Personal Rights and Natural Resources has exemplified a non-partisan, democratic approach, in confronting and seeking solutions.

Delegate David Maratita: November 2, 1976, is my birthday as well as an historic day for the U. S., in that a Democratic candidate has been elected to the U. S. Presidency in eight years. The election of Jimmy Carter and a new administration would be important to us in this Convention because the commitment of the U. S. Government has agreed upon in the Covenant to establish a Commonwealth of the Northern Mariana Islands could have a serious complication as to the outcome of the kind of Constitution we have out of the Convention. We must bear in mind the fact that the Republican administration has given its full support to our desire to become a permanent member of the American political family and that it was President Ford, himself, who gave us that assurance by approving the Covenant on March 24th of this year.

It would appear proper then for us in this Convention to express our appreciation by adopting a resolution addressed to President Ford and his Republican administration, for the support given to the Mariana Islands in its quest for a close and permanent relationship with the United States and to President-Elect Jimmy Carter, and his new Democratic administration, urging him to continue the spirit that the U. S. has initiated by acting favorably on our Constitution when presented to the U. S. Government for consideration. I hope that our product from this Convention will receive the same degree of enthusiasm and approval by the new U. S. President as that of his predecessor. We have yet to see the new leadership in Washington with respect to our future relationship with the United States.

Chairman Felipe Atalig: I guess the previous speaker forgot that it was a Democratic Congress that actually passed the Covenant for the approval of the President of the United States, so I hope he will take that into consideration.

Delegate David Maratita: I just want to remind my colleague from Susupe that the Democratic Congress is still retaining control of the U. S. Congress, so they're still in order.

Delegate Juan P. Tenorio: It is my understanding that most of the remarks and speeches are usually submitted in writing. I respectfully request the Chair to spare me the agony of listening to those speeches and have them passed out to the Delegates.

President Guerrero: Fellow Delegates. As you know, incumbent President Gerald Ford has lost the U. S. Presidential elections to Mr. Jimmy Carter. The election results would have been just an ordinary and insignificant event to us in the Northern Marianas if it were not for the overwhelming support we received from President Ford and his administration in our quest for Commonwealth status. As a final proof of that support, President Ford signed the Covenant on March 24, 1976.

While we certainly regret President Ford's loss, because of its possible effect on the U. S. ratification of the Constitution we are now drafting, we should in all candor also send our message of congratulations to the President-Elect, Mr. Jimmy Carter, with the sincerest hopes that our Government will still continue to receive the support previously extended by the Ford Administration. I feel that a resolution to this effect will be very timely and in order. Thank you.

(14) ANNOUNCEMENTS

Chairman Jose P. Masnas: Your Committee on Governmental Institutions will meet tomorrow at 9:00 a.m.

Convention Secretary: I would like to remind the Delegates that the four day period has lapsed for review of the Verbatim Transcript Journals for the 1st through the 5th Days and adoption of these journals will appear on tomorrow's calendar.

Floor Leader Rana: I move that the Convention recess until 2:00 p.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 2:42 p.m.

Respectfully submitted,

  
Pedro M. Atallig  
Convention Secretary



CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

NINETEENTH DAY  
Friday, November 5, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:07 p.m.

The Honorable Lorenzo I Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 33 Delegates present. Delegates Carlos S. Camacho, Jose R. Cruz, Herman Q. Guerrero, Francisco T. Palacios, Oscar C. Rasa and Joaquin S. Torres were excused. No Delegates were absent. A quorum was present.

(Delegate Benigno Fitial moved that Delegates not in attendance be excused. The motion was seconded and carried.)

(Delegates Rasa and Torres entered the Convention Hall during Committee of the Whole.)

(4) ADOPTION OF THE JOURNAL

Delegate Felipe Atalig: Mr. President, I move that the Summary Journal of the 18th Day and the Verbatim Transcripts of the 1st, 2nd, 3rd, 4th and 5th Days be adopted.

The motion was seconded and carried.

(5) COMMUNICATIONS

The Convention Secretary read the following communication:

"The Honorable Larry I. Guerrero, President  
and Honorable Delegates  
Marianas Constitutional Convention  
c/o Saipan Intercontinental Inn  
Saipan, Mariana Islands 96950

Dear President Guerrero and Honorable Delegates:

As your Marianas Liaison Officer in Washington, it is my privilege and honor to convey to you not only my personal greetings and congratulations but also those of your friends in the Mainland upon the calling of the Marianas Constitutional Convention.

Our friends in Capitol Hill, Congressman Phil Burton, on behalf of himself and the members and staff of the House Committee on Interior and Insular Affairs, and his colleagues in the California Delegation; Senator Bennett Johnston, on behalf of himself and his colleagues in the Senate Committee on Interior and Insular Affairs; Senator Fong, on behalf of himself and the Hawaiian delegation, former Ambassador Franklin Hadyn Williams, Ambassador Phillip Manhard and the staff of the OMSN and the staff of the Office of the Territorial Affairs, Department of the Interior; Former High Commissioner Will Goding; Continental and Pan American Airlines; the various services of the Armed Forces of the U.S.; former commissioners of the Micronesian War Claims Commission; the Peace Corps; former expatriate employees of the Governments of the Northern Mariana Islands and the Trust Territory; and residents of the Marianas in the Mainland have called in the office to convey their best wishes to all of you for the historic occasion of our endeavor to formulate and adopt the Constitution for the Marianas toward self-government.

"These friends of ours in the mainland have asked to be remembered by you and the people of the Marianas and to extend their best wishes for a successful convention.

Sincerely yours,

/s/Ed

Edward DLG. Pangelinan  
Marianas Washington Liaison Officer

(6) COMMITTEE REPORTS

Chairman Mafnas: Mr. President, I have several Delegate Proposals to report disposition by your Committee on Governmental Institutions. Delegate Proposal No. 68, regarding "Removal of Executive Appointee from Office," was accepted by your Committee. Delegate Proposal No. 65, regarding "the Executive Branch of Government," which provides that the Governor shall organize, arm and discipline the militia of the Commonwealth, etc., etc., etc. To the disappointment and consternation of the distinguished Delegate Maratita, this Proposal was unanimously defeated. Instead, your Committee recommended that the governor shall be empowered to declare a state of emergency and request from the United States Government assistance with military personnel, or call upon the local law enforcement to deal with the state of emergency. Delegate Proposal No. 59, in line with the previous Proposal that I mentioned, "In the event of threat of war or insurrection, or civil disturbance.....the Governor is empowered to declare a state of emergency." This Proposal was accepted by your Committee. Delegate Proposal No. 58 requires the Governor to submit an annual budget to the Congress and empowers the Governor to exercise item veto on appropriations. This Proposal was dealt with by your Committee and accepted in part. Thank you, Mr. President.

Chairman Atalig: Your Committee on Personal Rights & Natural Resources, Mr. President, has submitted Committee Report No. 5 for the Convention's consideration. I would also like to note that the Committee has been working vigorously on the "Private Land Matters" and it is expected that this week the Committee will finish their assignment on private lands.

Chairman Fitial: Pursuant to your request regarding the status of Delegate Proposals referred to substantive committees, your Committee on Finance, Local Government and Other Matters today is submitting its report on Delegate Proposals in writing. Copies are now being distributed by Mrs. Guerrero. Also, pursuant to your second request concerning committee meeting attendance, your chairman would like to report that with the exception of two Delegates, attendance has been very good.

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS - None.

(8) SECOND AND FINAL READING OF PROPOSALS - None.

(9) INTRODUCTION AND ADOPTION OF RESOLUTIONS

Delegate Olympio T. Borja moved that Resolution No. 4, as introduced by Delegate Benigno Fitial, be adopted by the Convention. The motion was seconded.

Delegate Borja also moved for the temporary suspension of Convention Rule No. 47. The motion was seconded and carried.

Delegate Borja moved that wording be added to the proposed Resolution between "A Resolution" and the first "Whereas" clause. He proposed to add "Conveying greetings and best wishes to President-Elect James Earl Carter, Jr." The motion was seconded.

Delegate Benigno Fitial moved to end debate. The motion was seconded and carried.

The motion to amend, as offered by Delegate Olympio T. Borja, carried.

Delegate Olympio T. Borja moved to further amend by adding another "Whereas" clause after the fifth "Whereas" clause and before "Be It Resolved." The proposed wording was "Whereas, it is the sense of the delegates of the Constitutional Convention of the Northern Mariana Islands that President-Elect Carter should receive due recognition from his future fellow Americans in the Marianas; now, therefore,". The motion was seconded and carried.

Delegate Felipe Atalig offered an oral amendment that was defeated.

Delegate Benigno Fitial moved that all Delegates to the Convention sign the Resolution if adopted as amended. The motion was seconded and carried.

Delegate Olympio T. Borja moved to amend the motion to adopt the Resolution as offered by the Committee of the Whole. The motion was seconded and carried.

The motion to adopt Resolution No. 4, as amended, carried. The Resolution is as follows:

"Resolution No. 4.

A RESOLUTION

Conveying greetings and best wishes to President-Elect James Earl Carter, Jr.

WHEREAS, pursuant to the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, the people of the Northern Mariana Islands are engaged in the historic task of drafting a constitution; and

WHEREAS, the Constitutional Convention has heard the results of the election for the Office of President of the United States; and

WHEREAS, the Commonwealth Constitution will take effect during the term of office of the next President of the United States; and

WHEREAS, the people of the Northern Mariana Islands desire to secure effective and cooperative relations with the Government of the United States of America, now and in the future; and

WHEREAS, such good relations involve close ties between our people and the elected officers and other officials of the United States; and

WHEREAS, it is the sense of the delegates of the Constitutional Convention of the Northern Mariana Islands that President-Elect Carter should receive due recognition from his future fellow Americans in the Marianas; now, therefore,

BE IT RESOLVED, That the greetings and best wishes of the delegates to the Constitutional Convention of the Northern Mariana Islands be expressed to the Honorable James Earl Carter, Jr., on the occasion of his victory in the presidential election; and

BE IT FURTHER RESOLVED, That the Secretary of the Constitutional Convention be requested to send a copy of the text of this Resolution to the Honorable James Earl Carter, Jr.

Adopted: November 5, 1976"

(10) UNFINISHED BUSINESS - None.

(11) SPECIAL ORDERS OF THE DAY - None.

(12) GENERAL ORDERS OF THE DAY

President Guerrero: We have two items to be discussed today during the Committee of the Whole. They are Committee Recommendation No. 3 from the Committee on Governmental Institutions, regarding "Legislative Branch of Government," and Committee Recommendation No. 5 from the Committee on Personal Rights and Natural Resources, regarding "Public Lands."

Delegate Hilario Diaz: I move that the Convention resolve itself into the Committee of the Whole.

The motion was seconded and carried.

President Guerrero: I would like to have Delegate Maratita Chair the Committee of the Whole for today.

Delegate David Maratita: I appreciate the honor, but I would like to yield to someone who has not been Chairman of the Committee of the Whole.

President Guerrero: Will Delegate Dela Cruz Chair the Committee of the Whole?

Delegate Pedro Dela Cruz: Mr. President, I have to leave on airport matters and I have already reported this earlier. I thank you for the offer.

President Guerrero: I call on Delegate Juan P. Tenorio from Saipan to Chair the Committee of the Whole.

The Convention resolved into the Committee of the Whole at 2:40 p.m.

The Convention reconvened in Plenary Session at 4:48 p.m.

Chairman Juan P. Tenorio: The Committee of the Whole has adopted Committee Recommendation No. 3 from the Committee on Governmental Institutions, regarding "Legislative Branch of Government."

Regretfully, the Committee of the Whole decided to defer action on Committee Recommendation No. 5 from the Committee on Personal Rights and Natural Resources, regarding "Public Lands."

Chairman Jose P. Mafnas: I move that the Convention adopt on First Reading Committee Recommendation No. 3, regarding "Legislative Branch of Government," from the Committee on Governmental Institutions.

The motion was seconded and carried.

(13) MISCELLANEOUS - None.

(14) ANNOUNCEMENTS

Chairman Jose P. Mafnas: Your Committee on Governmental Institutions will meet tomorrow at 9:00 a.m.

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources will meet tomorrow at 9:00 a.m.

Chairman Benigno Ftial: The Committee on Finance, Local Government and Other Matters will recess for the weekend.

Delegate Hilario Diaz: I move that the Convention recess until Monday morning, November 8, 1976, at 10:00 a.m.

President Guerrero: I would respectfully like to remind the Delegates that the Convention should at least have Committee Meetings over the weekend.

Delegate Benigno Ftial: The Committee on Finance, Local Government and Other Matters has nothing to discuss until Monday.

Delegate Felipe Atalig: Your Committee on Personal Rights and Natural Resources will not be meeting on Sunday.

President Guerrero: May I ask the consultants in regard to the law that the Convention will meet everyday for 50 consecutive days; since there are no Committee Meetings or Plenary Session on Sunday, will this be in accordance with the law?

Consultant Willens: In our view, the action establishing this Convention requires that you complete your work in 50 days; it does not require that you meet each and everyday within those 50 days. That is our interpretation of the Act.

Delegate David Maratita: In terms of salary, when there are no meetings, will we be paid by the Convention?

President Guerrero: The law says Delegates will be paid when meeting and working for the Convention, the Chair also says that when you are not meeting, whether in Plenary Session or Committee meeting, there will be no salary paid for those days.

Delegate Jose Borja: There is also the possibility that some Committee members work at night. Sometimes we work for more than eight hours. As long as we work at night, that justifies being paid.

Delegate Manuel Tenorio: I would like to be enlightened in regards to the law. Does it state that a work day will be 8 hours?

President Guerrero: The law states you will be paid for "a Convention Day," whether it be 8 hours or even if we have to work at night.

Delegate David Maratita: It would appear to me, if a Delegate comes to a committee meeting or plenary session, then he is entitled to the pay. But if there is no session or committee meeting, then the Delegate is not entitled to pay.

Delegate Gregorio Calvo: I would like to announce that the Rota Delegation is willing to stay over the weekend and work so that we will not be accused any further of delaying the work of this Convention.

Chairman Jose P. Mafnas: If the main motion will be withdrawn, I would like to make another motion.

Delegate Hilario Diaz: I withdraw my motion.

Delegate Jose P. Mafnas: I move that on Sunday the Delegates will report back to their constituents and report the progress of the Convention, and I move that the Convention recess until Monday at 2:00 p.m.

The motion was seconded and defeated.

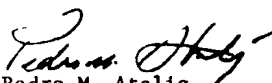
Delegate Pete Ogo: Clarification should be made on record that the motion was defeated because it stated that on Sunday the Delegates should report back to their respective precincts, not just for outer islands.

Floor Leader Rasa: I move that the Convention recess until Monday at 2:00 p.m.

The motion was seconded and carried.

The Convention recessed at 5:15 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

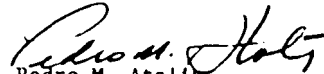
CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

TWENTIETH DAY  
Saturday, November 6, 1976

There was no Plenary Session this date, however, there were committee meetings.

Respectfully submitted,

  
Pedro M. Atallá  
Convention Secretary

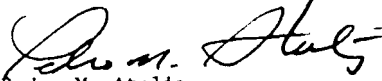
CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

TWENTY-FIRST DAY  
Sunday, November 7, 1976

There was no Plenary Session this date, nor were there any committee meetings.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
VERBATIM JOURNAL (TRANSCRIPT)

TWENTY-SECOND DAY  
Monday, November 8, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:15 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 37 Delegates present. Delegates Daniel Castro and Jose Mafnas were absent. No Delegates were excused. A quorum was present.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: Mr. President, I move for the adoption of the Summary Journal of the 19th Day.

The motion was seconded.

Convention Secretary: Mr. President, there are two corrections that should be made. On the second page, sixth paragraph, it should show that Delegate Borja's motion to amend the main motion carried. On the third page at the top, before Delegate Diaz withdrew his motion, it should reflect that Delegate Gregorio Calvo made the following statement: "The Rota Delegation is willing to stay and work over the weekend, so they should not again be accused of delaying the work of the Convention. I would like this to be reflected on the record."

Motion to adopt the Summary Journal of the 19th Day carried.

(5) COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Acting Chairman Palacios: Mr. President, your Committee on Personal Rights & Natural Resources has completed its work on eminent domain and on behalf of the Committee I submit the Committee's Report and recommended constitutional provisions on eminent domain and ask that it be calendared for consideration by the Committee of the Whole at the earliest possible time.

Acting Chairman Prudencio Manglona: Your Committee on Governmental Institutions is still working on the matter of the "Executive Branch."

Chairman Fitial: Mr. President, on behalf of the Committee on Finance, Local Government and Other Matters, I have the honor to present to the Convention, for consideration in Committee of the Whole, Committee Recommendation No. 7 on "Oath of Office." We have examined assiduously constitutions of other states on the requirements for and wording of a constitutional oath of office. We have also reviewed Section 204 of the Covenant which requires that all members of the legislature and all officers and employees of the government take an oath of affirmation to support the Covenant, Commonwealth Constitution and applicable provisions of the Federal Constitution, treaties, and laws. Mr. President, based on the Covenant provision, we have proposed a constitutional oath that would be required of all legislators and officers and employees of the Commonwealth and political subdivisions thereof. I recommend, on behalf of my colleagues on your Committee on Finance, Local Government and Other Matters that the Convention, meeting in Committee of the Whole, adopt the proposed constitutional language on an oath of office and the Committee Recommendation No. 7 and Report.

(7) INTRODUCTION AND FIRST READING OF PROPOSALS

Chairman Fitial: At this time I would like to introduce Recommendation No. 7



from the Committee on Finance, Local Government and Other Matters, regarding "Oath of Office.", and I ask that it be placed on the calendar under General Orders of the Day for consideration by the Committee of the Whole for First Reading.

Acting Chairman Palacios: At this time I ask that Committee Recommendation No. 6, regarding "Eminent Domain.", from the Committee on Personal Rights & Natural Resources be calendared for First Reading.

(8) SECOND AND FINAL READING OF PROPOSALS - None.

(9) INTRODUCTION OF RESOLUTIONS

Delegate Ramon Villagomez: Mr. President, I would like to introduce a Resolution which I will read:

"A RESOLUTION

WHEREAS, the people of the Northern Mariana Islands have elected a new group of legislators, including delegates to the Constitutional Convention, as members of the new legislature; and

WHEREAS, the delegates and the other new legislators will ensure that preparation for the Commonwealth government is efficient and thorough; and

WHEREAS, the spirit of unity, effectiveness and fairness necessary to the above endeavors is being promoted by the delegates and the other legislators;

NOW, THEREFORE, BE IT RESOLVED, That the Northern Marianas Constitutional Convention offers its sincere congratulations to the delegates and the other members of the new legislature.

Offered by: Ramon G. Villagomez.

Convention Secretary: Delegate Villagomez, there is an error in the Resolution. I'm sure it's a typographical error, but "effectiveness" is misspelled.

("Effectiveness was originally spelled "effectitiveness.")

President Guerrero: I would suggest that the Secretary and introducer of the Resolution get together and correct that typographical error.

(10) UNFINISHED BUSINESS - None.

(11) SPECIAL ORDERS OF THE DAY - None.

(12) GENERAL ORDERS OF THE DAY - None.

(13) MISCELLANEOUS

Delegate Ramon Villagomez: Mr. President, I would like to ask the Convention to recognize the presence of Senator Manuel Muna from Saipan, Senator-Elect Pedro Guerrero from Saipan, and all other visitors present in the Convention Hall.

President Guerrero: The Chair also recognizes the presence of the Vice-Speaker of the Municipal Council, Mr. Plasio Tagabuel.

(14) ANNOUNCEMENTS

Chairman Fitial: Mr. President, your Committee on Finance, Local Government and Other Matters will meet immediately following the Plenary Session, in their usual meeting place.

Acting Chairman Palacios: Mr. President, the Committee on Personal Rights & Natural Resources will meet right after the session at the Committee's office.


Acting Chairman Manglona: Mr. President, your Committee on Governmental Institutions will meet right after this session, in this Convention Hall.

Floor Leader Rana: I move that the Convention recess until two o'clock tomorrow.

The motion was seconded and carried.

The Convention recessed at 2:30 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Third Day  
Tuesday, November 9, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:10 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 35 Delegates present. Delegates Jose R. Cruz, Daniel P. Castro, Olympio T. Borja, and Luis Limes were excused. No Delegates were absent.

Floor Leader Rasa: I move that those Delegates not in attendance be excused.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move that the Summary Journal of the 22nd Day be adopted.

The motion was seconded and carried.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS

Chairman Felipe Atalig: The Committee on Personal Rights and Natural Resources has completed Committee Report No. 7, regarding "Natural Resources," and this will be introduced for the First Reading on today's agenda.

Chairman Jose P. Mafnas: The Committee on Governmental Institutions is still deliberating on the "Executive Branch."

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters has completed deliberation and has adopted the constitutional language for the provision on "Local Government." This will be finalized and presented tomorrow to the Convention.

President Guerrero: At this time, the Organization and Procedures Committee would like to report that the Order of Business for today does not show the scheduling of Committee Report and Recommendation No. 5, regarding "Public Lands," for consideration of the Committee of the Whole for First Reading today. This should be inserted in your Order of Business under item 12, "General Orders of the Day."

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS

Chairman Felipe Atalig: I would like to introduce Committee Recommendation No. 7, regarding "Natural Resources," from the Committee on Personal Rights and Natural Resources. I would like this to be placed on the calendar for First Reading.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None

(10) UNFINISHED BUSINESS

Convention Secretary: The Committee on Personal Rights and Natural Resources has recommended re-referral of Delegate Proposal No. 26 to the Committee on Finance, Local Government and Other Matters and Delegate Proposal No. 21 was re-referred to the Committee on Governmental Institutions.

President Guerrero: The Committee on Organization and Procedures will reassign those Delegate Proposals to the appropriate standing committee sometime this afternoon.

(11) SPECIAL ORDERS OF THE DAY - None

(12) GENERAL ORDERS OF THE DAY

Floor Leader Rasa: I move that the Convention resolve itself into the Committee of the Whole in order to consider Committee Recommendation No. 5, "Public Lands," Committee Recommendation No. 6, "Eminent Domain," and Committee Recommendation No. 7, "Oath of Office."

The motion was seconded and carried.

President Guerrero: I would like to call Delegate Pedro Dela Cruz from Rota to Chair the Committee of the Whole for today.

The Convention resolved into the Committee of the Whole at 2:18 p.m.

The Convention reconvened in Plenary Session at 4:45 p.m.

Chairman Dela Cruz: Your Committee of the Whole has adopted all three recommendations. Regarding Committee Recommendation No. 5, it was adopted as amended.

President Guerrero: As stated in our Rules, all amendments have to be submitted in writing, so I suggest that the Committee Chairman get that amendment in writing and submit it to the Convention Secretary.

Chairman Dela Cruz: I move that the Convention adopt the Recommendations, as adopted by the Committee of the Whole. These are Committee Recommendation No. 6, "Eminent Domain," from the Committee on Personal Rights and Natural Resources, Committee Recommendation No. 7, "Oath of Office," from the Committee on Finance, Local Government and Other Matters, and Committee Recommendation No. 5, as amended, on "Public Lands" from the Committee on Personal Rights & Natural Resources. The amendment to Committee Recommendation No. 5 is as follows:

Committee Recommendation No. 5: Public Lands

Section 5(a). The Corporation shall make available some portion of the public lands for a homestead program. No person shall be eligible for more than one agricultural and village homestead. No person shall receive title to a homestead for five years after the grant of a homestead or shall be able to transfer title to a homestead within ten years of receipt thereof provided, however, that these requirements shall be waived for persons who have established a continuous residence on public lands for at least 20 years as of the effective date of this Constitution. Other requirements for eligibility for the homestead program and the nature of the interest in land to be transferred by the Corporation shall be as provided by law.

The motion was seconded and carried.

(13) MISCELLANEOUS

President Guerrero: There is a resolution being passed around for signature that will be sent to President-Elect Jimmy Carter. I suggest that all the Delegates sign where required and return this to the Convention Secretary.

(14) ANNOUNCEMENTS

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters will meet tomorrow at 9:00 a.m.

Chairman Atalig: Your Committee on Personal Rights and Natural Resources will meet tomorrow at 9:00 a.m.

Chairman Jose P. Mañas: Your Committee on Governmental Institutions will meet tomorrow at 9:00 a.m.

President Guerrero: There will be a meeting of all Convention officers, including the three Vice Presidents and the Chairman of the three substantive committees immediately following this session.

Floor Leader Rasa: I move that the Convention recess until 2:00 p.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 4:50 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Fourth Day  
Wednesday, November 10, 1976

*JP Tenorio  
was acting  
Floor leader  
this day*

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:03 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 33 Delegates present. Delegates Olympio T. Borja, Daniel P. Castro, Francisco T. Palacios, Oscar C. Rasa, Manuel A. Tenorio and Joaquin S. Torres were excused. No Delegates were absent. A quorum was present.

Delegate Juan Tenorio: I move that those Delegates not in attendance be excused.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Delegate Juan Tenorio: I move that the Summary Journal of the 23rd Day and the Verbatim Journal Transcripts for the 6, 7, 8, 10 and 11 Days be adopted by the Convention.

The motion was seconded and carried.

(5) COMMUNICATIONS

President Guerrero: I would like to announce that since Floor Leader Rasa is unavailable for today, I have appointed Delegate Juan Tenorio as Acting Floor Leader.

(6) COMMITTEE REPORTS

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters is submitting Committee Recommendation No. 8, regarding "Local Government," to the Convention.

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources has completed their assignment and all Committee Reports will be submitted sometime this week. May I also add, that the participation of your Committee Members is highly recognized and the output of all the Committee Members is highly appreciated by the Chairman. Thank you very much.

Chairman Jose P. Mafnas: Your Committee on Governmental Institutions hopefully will submit their Report and Recommendation on the "Executive Branch" by tomorrow or Friday.

Chairman Benigno Fitial: I want to report to the Convention that with the submission of Committee Recommendation No. 8 on "Local Government," this Committee has completed its essential task and we would like to offer our assistance to the other two Committees if deemed appropriate.

Chairman Felipe Atalig: On November 13 and 14, 1976, some members of your Committee are going to Tinian and Rota for the purpose of planning public hearings. At this time, the Chairman would like to recognize that Ramon Villagomez has been appointed to go to Tinian and Jose Borja and Manuel Tenorio will go to Rota. The appointment of Ramon Villagomez is subject to his acceptance.

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS

Chairman Benigno Fitial: At this time I would like to introduce Committee Recommendation No. 8, regarding "Local Government," from the Committee on Finance, Local Government and Other Matters to be placed on the calendar for First Reading.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None

(Delegate Manuel Tenorio entered the Convention Hall.)

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY - None

(12) GENERAL ORDERS OF THE DAY

President Guerrero: As shown on the Order of Business, we have one item to be discussed today by the Committee of the Whole. It is Committee Recommendation No. 7, regarding "Natural Resources," from the Committee on Personal Rights and Natural Resources.

Acting Floor Leader Tenorio: I move that the Convention resolve itself into the Committee of the Whole.

The motion was seconded and carried.

President Guerrero: I would like to call Delegate Gregorio Calvo from Rota to act as Chairman for today's Committee of the Whole.

The Convention resolved into the Committee of the Whole at 2:12 p.m.

The Convention reconvened in Plenary Session at 2:52 p.m.

Chairman Gregorio Calvo: Your Committee of the Whole has unanimously adopted Recommendation No. 7 from the Committee on Personal Rights and Natural Resources, regarding "Natural Resources."

Delegate Ramon Villagomez: I move that the Convention adopt Committee Recommendation No. 7, regarding "Natural Resources," from the Committee on Personal Rights and Natural Resources.

The motion was seconded and carried.

(12) MISCELLANEOUS

Delegate Jose R. Cruz: A while ago, this Convention resolved itself into the Committee of the Whole and I was recognized by the Chair to speak. Before I started speaking, someone raised the point of "Rules." I did not have a chance to speak. I urge this Convention that when a newspaperman is here at the session, not to stir up a show to show that he is better than another Delegate, so that his name will be in the headlines of tomorrow's paper, especially when it comes from the Chairman of a substantive committee who doesn't seem to know the answer to a question, but can't stand to have another member answer the question.

I think this Convention should have respect and cooperation among all the Delegates. Everyone should have a chance to speak. I know that when the newspaperman comes here someone wants to show-off. We're here to frame the Constitution of the Northern Marianas, not at a beauty contest.

Chairman Felipe Atalig: The statement made by the Delegate from Tinian, is referring to the Chairman of the Personal Rights and Natural Resources Committee. I wish to register my concern at this moving statement and hope the Delegate from Tinian can see that there is no place for this kind of childish discussion in this Convention. For fourteen years he has been in a legislative body, therefore, he should be used to complying with the Rules and Regulations. Let the record show, Mr. President, that

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Fifth Day  
Thursday, November 11, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 1:05 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 34 Delegates present. Delegates Olympio T. Borja, Daniel P. Castro, Herman Q. Guerrero, David Maratita and Francisco T. Palacios were excused. No Delegates were absent. A quorum was present.

Floor Leader Rasa: I move that those Delegates not in attendance be excused.

The motion was seconded and carried.

(Delegates Herman Q. Guerrero, David Maratita, and Francisco T. Palacios entered the Convention Hall during Committee of the Whole.)

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move that the Convention adopt the Summary Journal of the 24th Day.

The motion was seconded.

Chairman Felipe Atalig: There is a correction that should be made on the first page under item 6, the second paragraph. The word "that" should be changed to "this."

The motion to adopt the Summary Journal of the 24th Day carried.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS

Chairman Jose P. Mafnas: I am sorry to report that the Committee on Governmental Institutions is unable to submit the Committee Report and Recommendation on the "Executive Branch" this morning.

Chairman Benigno Fitial: The Committee on Finance, Local Government and Other Matters was hoping to present the Committee Report and Recommendation, regarding "The Preamble," but the duplicating machine was not functioning properly. The Recommendation will definitely be introduced tomorrow.

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources has completed their work on Committee Recommendation No. 8, regarding "Land Alienation." However, as stated previously by Chairman Fitial, due to problems with the duplication machine, your Chairman is not able to submit that report. We expect to submit it to the Convention tomorrow.

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS - None

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None



- (10) UNFINISHED BUSINESS - None  
(11) SPECIAL ORDERS OF THE DAY - None  
(12) GENERAL ORDERS OF THE DAY

President Guerrero: Today we have Committee Recommendation No. 8 from the Committee on Finance, Local Government and Other Matters, regarding "Local Government," for discussion during the Committee of the Whole.

Floor Leader Rasa: I move that the Convention resolve itself into the Committee of the Whole.

The motion was seconded and carried.

President Guerrero: May I call on Delegate Ramon Villagomez to Chair the Committee of the Whole for today.

The Convention resolved into the Committee of the Whole at 1:15 p.m.

The Convention reconvened in Plenary Session at 5:00 p.m.

Chairman Ramon Villagomez: I am happy to report to you that Committee Recommendation No. 8 from the Committee on Finance, Local Government and Other Matters, regarding "Local Government," has been adopted with certain amendments.

I move that the Convention adopt the recommendation of the Committee of the Whole.

The motion was seconded and carried.

The amendment to Committee Recommendation No. 8, regarding "Local Government," from the Committee on Finance, Local Government and Other Matters is as follows:

Section 3: Responsibilities of Mayor.

- (1) The word "shall" is substituted for the word "may" in the first line of subsection 3(d); and
- (2) The following sentence is added to subsection 3(d): "Any proposal relating to the budget made by the mayor shall be considered by the responsible Commonwealth official and rejected only for good cause."

- (13) MISCELLANEOUS - None  
(14) ANNOUNCEMENTS

Chairman Felipe Atalig: I wish to announce that this evening at 7:00 p.m., your Committee on Personal Rights and Natural Resources will be meeting to review the last Committee's Recommendation, No. 8. I would also like to ask the Committee members to pick up copies of Recommendation No. 8 so they will have ample time to read it before the meeting tonight.

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters will meet tonight at 7:00 p.m. I would like to invite interested Delegates from Rota and Tinian to attend for the purpose of discussing further the provision on "Local Government," which was just adopted by the Convention on First Reading.

Chairman Jose P. Mafnas: For reasons that I cannot reveal, which I will advise you on at a later time, your Committee on Governmental Institutions cannot meet tonight. We will meet tomorrow morning at 8:00 a.m.

Delegate Henry Hofschneider: I would like to attend the meeting of the Committee on Finance, Local Government and Other Matters, and I am asking if I can be excused by the Chairman of the Committee on Personal Rights and Natural Resources.

Chairman Felipe Atalig: Yes, provided there is one Delegate from Tinian in attendance, so I urge Delegate Diaz to come and attend the meeting.

President Guerrero: There will be a meeting of the three Vice Presidents, three Committee Chairman, the Floor Leader, and Convention Secretary immediately following this session.

Delegate Juan DLG. Demapan: I move that the Convention recess until 2:00 p.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 5:05 p.m.

Respectfully submitted,



Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Sixth Day  
Friday, November 12, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:10 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 35 Delegates present. Delegates Olympio T. Borja, Daniel P. Castro, Pedro Q. Dela Cruz and Francisco T. Palacios were excused. No Delegates were absent.

Floor Leader Rana: I move that those Delegates not in attendance be excused.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rana: I move that the Summary Journal of the 25th Day be adopted by the Convention.

The motion was seconded and carried.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS

Chairman Benigno Fitial: I am happy to report that your Committee on Finance, Local Government and Other Matters is submitting Committee Recommendation No. 9, regarding "Preamble."

Chairman Felipe Atalig: At this time, your Committee on Personal Rights and Natural Resources is submitting a written report on the disposition of Delegate Proposals by our Committee. I am also happy to submit to the Convention Committee Recommendation No. 9, regarding "Miscellaneous Provisions." This Report deals with Statute of Limitations, Treatment of Children in Criminal Proceedings, and Search and Seizure.

Chairman Jose P. Mafnas: The basic formation and requirements, regarding the "Executive Branch," have been reached by your Committee on Governmental Institutions. However, there is one obstacle that did not permit your Committee to submit this report this afternoon. That is the composition regarding the so-called mayor/lieutenant governor portion of the Recommendation. The proponents of the amendment introduced yesterday by Delegate Jose R. Cruz and our Committee are deadlocked on that issue. For the Convention's information, the President had formed a Special Committee to iron out the problems that we are facing on the question of local government and the lieutenant governor's authority and responsibilities. I have yet to hear from the Chairman of that Special Committee. I understand that they met this afternoon and I hope that resolution was reached so that we can proceed with our business.

Delegate Joaquin Torres: Mr. President, could you tell us who the Delegates were that comprised that Special Committee?

President Guerrero: For your information, the Convention Officers met about 5:30 p.m. yesterday evening and we made the selection and appointed the following Delegates:

Delegates Benjamin Manglona, Jose R. Cruz, Pedro Atalig, Juan P. Tenorio, Jesus Villagomez and Francisco T. Palacios. Unfortunately Delegate Palacios was unable to attend and Delegate Ramon Villagomez was appointed to attend in his place.

Delegate Jose R. Cruz: The Special Committee met and vigorously attempted to tackle the problem and it seems to me that a solution has been tentatively reached, although this must be reduced into constitutional language so that everyone can ascertain the gist of the concern. We think with more time this afternoon, or sometime tomorrow, we should be able to come up with some kind of solution.

President Guerrero: I hope that the Special Committee can come up with an alternative that will solve these problems so that we can discuss and complete the Committee's Recommendation.

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS

Chairman Benigno Fitial: At this time, I would like to introduce Committee Recommendation No. 9, regarding "Preamble," from the Committee on Finance, Local Government and Other Matters for First Reading.

Chairman Felipe Atalig: At this time, I would like to introduce Committee Recommendation No. 9, regarding "Miscellaneous Provisions," from the Committee on Personal Rights and Natural Resources for the consideration of the Convention.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS

Chairman Felipe Atalig: I have a resolution to read into the record.

A RESOLUTION THANKING AND COMMENDING THE CONSULTANTS  
FOR THE COMMITTEE ON PERSONAL RIGHTS AND NATURAL RESOURCES.

WHEREAS, the Committee on Personal Rights and Natural Resources has completed its deliberations and has reported its recommendations of constitutional provisions to the Convention and,

WHEREAS, the Committee produced eight (8) constitutional articles and thirty-nine (39) constitutional sections, plus supporting papers amounting to one hundred-sixteen (116) pages and,

WHEREAS, the Committee was faithfully and diligently assisted and provided every necessary professional guidance at every moment of its deliberations by the two legal consultants, Ms. Deanne C. Seimer, Esq. and Mr. Neil S. Solomon, Esq. and,

WHEREAS, the consultants did not in anyway impose any idea or opinion upon the Committee but did give comprehensive and objective analyses of all the committee's recommendations and,

WHEREAS, the Committee is greatly appreciative of every assistance and guidance received from its consultants,

NOW THEREFORE, BE IT RESOLVED, by the Northern Marianas Constitutional Convention that its Delegates express and extend their appreciation and congratulate them for their successful assistance, and

BE IT FURTHER RESOLVED, that the Secretary of the Convention be requested to send a copy of the text of this Resolution to the two consultants mentioned above and to the law firm of:

WILMER, CUTLER AND PICKERING  
1666 K Street, N. W.  
Washington, D. C. 20006

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY - None

(12) GENERAL ORDERS OF THE DAY

President Guerrero: For today's discussion is Committee Recommendation No. 8, regarding "Restrictions of Land Alienation," from the Committee on Personal Rights and Natural Resources.

Floor Leader Rasa: I move that the Convention resolve itself in the Committee of the Whole.

The motion was seconded and carried.

President Guerrero: At this time, the Chair would like to call on Delegate Luis Limes from Saipan to preside over the Committee of the Whole for today.

The Convention resolved into the Committee of the Whole at 2:27 p.m.

The Convention reconvened in Plenary Session at 3:35 p.m.

(During Committee of the Whole, Delegate Felipe Atalig asked the House to recognize the presence of Senator-Elect Jesus Mafnas.)

Chairman Luis Limes: Your Committee of the Whole adopted Committee Recommendation No. 8 from the Committee on Personal Rights and Natural Resources, regarding "Restrictions On Land Alienations."

Floor Leader Rasa: I move that the Convention adopt Committee Recommendation No. 8 from the Committee on Personal Rights and Natural Resources for First Reading.

The motion was seconded and carried.

President Guerrero: The Chair would like to recognize the presence of all the interested citizens of the Northern Marianas who are in the gallery.

(13) MISCELLANEOUS

Delegate Juan S. Demapan: Good afternoon, Mr. President and fellow Delegates:

Today, we begin the last half of our Convention days, and our tasks still remain abundant. With so little time remaining and much to do, it seems that we won't ever accomplish the task of formulating a Constitution that is representative of our people's needs and wants. Such a task is not easy, but in God we ask a miracle to show us the way to understand that only through a unity of purpose can we accomplish such a task that, at present, is seemingly impossible.

As a member of this honorable body, I have a moral and public responsibility to promote understanding and trust -- unity of purpose -- amongst ourselves. In fact, this is the best place to start it.

The major obstacle facing this body is that some of us are fearful of abandonment and inattention of the basic material needs and wants of our people in our other municipalities. That fear, unquestionably, stems from past repetitive experiences. But if we are really going to think about it, the fear is basically rooted in inadequate monetary support to these islands in order to establish adequate basic facilities such as hospitals, schools, airports, docks, roads, etc., necessary for the well-being and convenience of our people in these outer islands. This, in short, is fundamentally the injustices of the past.

But let's be practical and realistic. On its own, Saipan may never be able to support our neighboring islands for material conveniences. In fact, it has never been. The Trust Territory Administration, the administering authority, if anything, is the direct source for such injustices of the past.

To be sure, our problems here are no different from the other districts in the Trust Territory. My experience in the other districts has been one of great sorrow. For it seems that only the major island centers are where everything seems to be. The outer islands of Truk, Marshalls, Ponape, Yap, and Palau are probably more mistreated and forgotten than us here in the Marianas.

I have seen islands out there without running water, electricity, roads, airports, hospitals, and ports. In medicare, these islands sometimes get it once in every forty-five days. So if injustices we want to say, that is where injustices exist. We are much luckier and fortunate, in fact, by far. But with \$8.5 million for governmental operations, and some \$4 million for capital improvements, as provided by the Covenant, we can safely say that our often shouted "injustices" are more than eliminated.

Thus, my fellow Delegates, I wish to close with a warning: continuance of concentrating our efforts and time on material injustices of the past, could very well lead us to forget the heart of our task, namely, protecting the interests, rights and desires of our people, and protecting ourselves from the expected and unexpected evils of government and amongst ourselves. Only history will tell what we do in this Convention to protect our cherished people and lands and heritages on a planet filled with customs, cultures and beliefs of peoples and nations far different and outnumbering our kind. In final, I wish to ask that we all join hands and work for the good of all our people and islands and the generations to come, which is the task we here face.

Delegate David Maratita: I would like the Convention to recognize in the gallery, the presence of Francisco Ulodong, the new descent of the Marianas, and two members of the Pacific Daily News staff who are 100% American citizens.

Chairman Felipe Atalig: I have a letter that has been prepared to our pageboy for his outstanding work for our Committee on Personal Rights and Natural Resources. This is a very special occasion and I would like to present this letter to the Sergeant-at-Arms to be presented to the President so that it can be inserted in the record. I would like the Convention Secretary to read the letter to the Convention.

November 12, 1976

Mr. Ramon R. Seman  
Northern Marianas Constitutional Convention  
Saipan, Mariana Islands 96950

Dear Mr. Seman:

On behalf of the Committee on Personal Rights and Natural Resources, I wish to express our sincere appreciation and commendation for your sincere and most generous services provided the Committee during the past 26 days of our deliberation in our Committee's work.

We are pleased to present to you a small gift as a token of our appreciation for your kind services provided which we all cherished.

The Committee recognizes the importance of your work with respect to providing a comfortable atmosphere in our daily work and we hope you continue to extend your excellent spirit for the remaining 24 days of the Committee's work.

Thank you yan si Yuss mansi. Ha dahi na unmalefa nai chairman yan i mangachong na gi sakan 1977.

Sincerely,

Felipe Q. Atalig  
Chairman, Personal Rights and  
Natural Resources

President Guerrero: Today marks the 26th day of session of our Constitutional Convention. The progress achieved by the backbone of this august body is par-excellent, and, therefore, worth honoring every effort contributed to this effect. As President of this Constitutional Convention, it is my pleasure, and I am proud to mention, that the Committee on Governmental Institutions has made it possible to undo complexities and difficulties relative to governmental structure which were undoubtedly necessary to accommodate demands and to relieve grievances of the past.

Third, even if a governor should be so unwise as to reject all or most of the reasonable recommendations of a mayor, the legislature could reject the budget. Remember that Rota and Tinian will control the senate. If the senators from those islands believe that the governor's budget is unfair to their constituents, they will have the power to disapprove the entire budget. Will a governor attempt to deny adequate services to the outer islands if the cost is the rejection of his entire program? I think not. Remember, also, that the senate will exercise the power to confirm or reject the governor's principal appointees.

Despite the ample protections of this Committee Recommendation, some Delegates continue to demand complete autonomy for the outer islands. The words of these Delegates are disturbing for two reasons. First, a governmental system, and we are addressing only one system, that serves only 15,000 -- or even 150,000 people -- is not workable if it is splintered into three autonomous parts, each duplicating the functions of the others. The governor would be little more than a figurehead if three so-called "lieutenant governors" are given responsibility for administering the government and hiring and firing its employees on their islands. We are told that the governor and his department heads will "set policy." But what does that mean if the people who will implement the policy are not selected and cannot be supervised or removed by the policy-makers? Policy will soon degenerate. If the governor and a lieutenant governor are of different political parties, conflict between the two is inevitable. Soon the lieutenant governor will seek out ways to repudiate the policies of the chief executive.

Furthermore, Mr. President, the experience of the United States suggests that the needs of Rota and Tinian can be met without this lieutenant governor proposal. The state of Hawaii is also a community of islands -- separated by many more miles of ocean that is true in the Northern Marianas. The individual islands of Hawaii do not begin to have the kind of powers and local autonomy that our colleagues want for Rota and Tinian, even though the islands in Hawaii are much richer in terms of people and money. In fact, the State of Hawaii provides most of the significant public services -- education and welfare, for example.

Mr. President, what some of my colleagues are demanding is a system in which the lieutenant governors will be more powerful than the governor. This is a system appropriate for a federation of loosely joined sovereign states, not for a Commonwealth where the interests of all of the people are paramount. If the governor has the authority to supervise governmental services, the Commonwealth will receive the benefits of a comprehensive civil service system. Employees will be hired and promoted according to objective standards based upon merit. It is clear that qualified public servants will be more effective than the political cronies of a lieutenant governor.

The proposal for local autonomy would be more than inefficient. It would be costly. A different set of supervisors would be required for each island. These administrators will strain the limited resources of the Commonwealth. This can only result in the reduction of the services actually available to the people of the Northern Marianas. Mr. President, is our concern elaborate organizational charts whose only beneficiaries are those who fill positions listed on those charts? Or is our goal to ensure services sufficient to their needs?

The words of Delegates supporting local autonomy are disturbing for a second reason. Some of my colleagues have suggested that if their views do not prevail they will block ratification of any Constitution. Some even threaten to walk away from our responsibilities before our fifty days have ended. Mr. President, now is not the time for threats. My fellow Delegates, let us try to reach consensus. Let us not be alarmed or dismayed if we cannot agree today or tomorrow or even two weeks from now. Let us use all of the time remaining to us to resolve this troubling issue if that is necessary. But let us also not lose sight of why we were sent here by our people -- to draft a Constitution for them. So while we continue to discuss the issue of local government, let us continue also to reach agreement on other questions. In twenty-four days, let us have a Constitution. I thank you.

Delegate Juan DLG. Demapan: Mr. President and fellow Delegates. We are all

aware that this Constitution that we are in the process of drafting is a matter of utmost seriousness. Not only will our own people be passing judgment on our work, but it must also stand up under the scrutiny of the United States Congress and the President of the United States. Unless we relish the idea of being branded as incompetents, it is important that we apply ourselves to doing thoughtful first-class work.

We have been provided with excellent briefing papers, which if read and studied, should make our work relatively easy.

It is true that there are unique local problems that have not been anticipated in the briefing papers, but as to them, the question is: Are they really matters that can only be resolved by Constitutional provisions? It seems to me that many of the proposals submitted reflect local concerns based upon past experience.

It may well be true that under a series of incompetent Trust Territory Administrations, the municipalities of Rota and Tinian were treated as step-children, but does not the fault lie partly with our equally incompetent District Administrators who were more concerned with pleasing Headquarters than tending to the needs of our friends in the municipalities. Now that we look forward to a District Administrator (governor) who will answer rather than to a High Commissioner, is it not reasonable to expect more responsive consideration? Surely the allegiance of a governor who need not look to a High Commissioner for job security will lie with the people; all of the people. Therefore, should not the Delegates from Tinian and Rota make an effort to forget past injustices and refrain from trying to guard against past neglects that will not be repeated by introducing proposals which do not belong in a constitution. These disputes only consume precious time and lead to nothing constructive.

With the advent of a new form of government, in which the three branches draw their respective authority from a written law, and which at the same time, places clear cut limitations on the exercise of that authority; it is my firm belief that no one need fear a repetition of the excesses or neglects of the past. We should look to our Constitution as a unifying force rather than a divisive one.

Should we persist in the attempt to guard against past wrongs -- real or imagined -- by inserting all sorts of ill-advised and distorting provisions in our Constitution, it is clear that we will wind up with a document, yes, but will it be a Constitution? I think not. It will be a joke, the laughing stock of all thinking men everywhere; and what is of prime importance, it will not pass muster neither with our people nor the U. S. Congress.

Let us have faith that all assembled here are men of good will, that we all seek the common good. Let sectionalism be set aside and let us get on with the work appointed in a spirit of unity.

For myself, I pledge that my concern embodies the welfare of the people of Rota and Tinian, to as great a degree as those of Saipan. We are a unit, let us behave as one. Thank you.

Delegate Jose R. Cruz: Mr. President, I don't have a prepared speech, but I would like to make a comment. I would like to assure this Convention that the Delegation from Tinian, and perhaps I can speak for the Delegation from Rota, has no intention of trying to bring what took place in the past. We are willing to forget what happened in the past, but certainly we refuse to continue the practices of the past. So as I stated, we the minority from Tinian joined in forces with the other minority from Rota, came up with a proposal because we firmly believe that that's the only way we can have a workable government. We are not being selfish. We are only bringing to the attention of this Convention that we want to be treated equal. We believe in the American proverb, "What is good for the goose is good for gander." We are minorities, and unfortunately as a result of this minority, we have had problems in the past, but we don't intend to keep dragging that up in this Convention. But in order for the Delegation from Tinian to be assured that it is understood fully by the Convention, the injustices and the inequity we have suffered in the past, we have to explain this to the Convention so that the members will understand our problems.



We are not asking anything impossible. We want some more voice in our future government. The only reason the people from Tinian supported the Covenant and the new political status is because we want to change the suffering we have had in the past 25 years. If we knew that such safeguard would be turned down by this Convention to protect the interest of the minority, we would have voted down the passage of the Covenant. We would have refused sacrificing the very small island of Tinian to be turned over for future national defense. I would respectfully like to remind this Convention that the people of Tinian sacrificed more than two-thirds of its very small island for the future of the Marianas. We are only asking that we have more voice, more authority, in this new government. If we don't get this, then we refuse to have a new constitution. What is the use for us to join this new political entity if the arrangement will be just like the old days? I have heard so many speeches accusing the outer islands of being selfish. What is the danger, Mr. President, if giving Tinian and Rota a man who is elected locally to administer their local affairs? Why do we have to resort to people from Saipan, like the old days? The governor will sit here all the time, he doesn't spend 24 hours on Rota and Tinian. We want a workable government. We want to be a part of that government. Thank you.

Delegate Benjamin Manglona: I certainly appreciate the remarks made by several of the Delegates and certainly share some of their consensus. However, Mr. President and fellow Delegates, the Rota and Tinian Delegations have been continuously blamed for the action and the work of this Convention. One thing I want to make very clear, we have been making ourselves available in all the Committee work and we have been at this Convention. I assure the Convention that we have no intention of trying to walk out unless we come to the point where we think that there is no where to go to protect the interest of the people of Rota and Tinian. I still think there is hope and room for understanding. We will continue to be in this Convention until that time. I want to assure you that it is the feeling of our Delegation that we still have plenty of room to resolve our differences.

One thing I want to ask you, is to give us the protection that we are asking. It is not the protection for the people of that island. It is the protection for all of the people. We have some people from Saipan who have come to Rota and decided to live there. It is protection for these people, too.

One thing I want to make clear; we are doing our work and hope we can reach an agreement on the proposal we have submitted. Thank you.

Delegate Ramon Villagomez: I think we have reached the point where we cannot come to a further compromise, a further understanding, a further giving away of power. This is it. This is the time to walk out. Let me explain why. There are three municipalities in the Northern Marianas; 12,000 of the people on the island of Saipan, 1,200 or so on Rota and about 750 in Tinian. We found out we couldn't have a Covenant if we didn't have a compromise, so we thought we were giving compromises. But instead of compromise, the people of Saipan have given to these minorities more than they are entitled to. Think about this carefully. What we have given up to this point to the minorities, is more than they are entitled to. There is nothing that the people of Saipan can enact in the way of legislation without the permission of the people of Rota and Tinian. Nothing. Nothing can go through that legislature without the people of Rota and Tinian saying "yes." There is nothing that the people of Rota can ask Saipan, that the people of Saipan can refuse. Because if Saipan says we refuse to cut down your trees, the people of Rota and Tinian in the senate will say, we refuse to cut down your trees and nothing happens. Therefore, to ask for more when we have already given more than they are entitled to, the power is not here in Saipan now. The power is in the minority. The minority is asking for more. What more power can we give? We cannot negotiate anymore and we cannot compromise anymore, because we have given more than we can give. We have given more than we can afford. If you are looking for the time in which we cannot go any further, that time has come. We cannot any longer negotiate or compromise.

If you think the only way you can solve this problem is to walk away from it, let me warn you that Saipan will not suffer. If you are not going to have a Commonwealth as we have been seeking to have, all the dreams that we have been dreaming, all the goals we have been expecting, are never going to come. We are not going to give anymore, we have given more than enough. Thank you.

Delegate Esteven King: This is not a speech, just a very short comment I would like to make to the Delegates. Let's look back on the Constitution of the United States and what happened when they gave very strong power to the government. They ended up with a civil war. Bloody. We do not want this same thing to happen here in the Marianas Commonwealth. Even though we are a minority, we are asking for equal treatment. The islands of Tinian and Rota are not separated from Saipan by barbed wire, we are separated by ocean. We are not asking for decentralization of power, we are asking that there is some power in Tinian and Rota. I would like to ask the cooperation of this Convention in listening to the issues we have presented. We are trying to be treated equally with all people of the Commonwealth. So I ask for the cooperation of the Delegates; notice that on certain issues, not only are Rota and Tinian Delegates voting against it, some Saipanese are also voting against it. I'll bet that the Delegates that stand up and say I'll fight for you; why, because they are feeling the pains. I want this Convention to recognize that it is just not the Tinian and Rota Delegates voting against the issue, but some Saipanese, too. Let's be realistic in this Convention on each issue. Certain Delegates from Saipan would like to vote with Rota and Tinian, but they cannot speak because they are residing on this island. Thank you.

Chairman Jose P. Mafnas: Upon completion of the session, I would like to report back to our constituents that we have formulated a Constitution. When you appointed a special committee to iron out these problems; I wish to advise every Delegate in this Convention to please refrain from jeopardizing the negotiations that are going on in this special committee. As the Chairman of the Committee on Governmental Institutions, who has yet to report to this Convention its report on the "Executive Branch," I find that it will be very difficult, at this time, to reach a consensus because of the speeches that have been made directed against the wishes of the people of Rota and Tinian. I feel that there is still time to reach a consensus and I strongly advise every Delegate to please refrain from making any remarks that might jeopardize the negotiations. Thank you.

Delegate Juan DLG. Demapan: I am full admiration of love and destiny and I do sympathize with the feeling, sentiments and concerns of the people of Tinian and Rota. But, Mr. President, I think they are wrong, as Delegate Ramon Villagomez said. I think there is enough protection for the municipalities of Rota and Tinian. Since the senate is three/ three/ three, let me assure you that no legislation will be approved without the consent of the two municipalities. Thank you.

Delegate Henry Hofschneider: Let's assume, Mr. President, that the Constitution has been ratified. I would be very pleased, as for my fellow Delegates, if we follow what formula is being recommended now. I would like to extend invitations to residents from Saipan to stay on Tinian and share with us our experience.

(14) ANNOUNCEMENTS

Chairman Felipe Atalig: Your Committee on Personal Rights and Natural Resources will meet tonight at 7:00 p.m. in Room 225. I urge all members to be present.

Chairman Jose P. Mafnas: There will be a meeting of your Committee on Governmental Institutions immediately after this session. I would like the President to advise the members of the Special Committee to please be present in this meeting so we can hear what transpired in their meeting this afternoon.

President Guerrero: May I respectfully request that members of that Special Committee attend the meeting of the Committee on Governmental Institutions, as Chairman Mafnas has requested, which will be held immediately following this session.

Chairman Benigno Ftial: I would like to announce that the Committee on Finance, Local Government and Other Matters will meet jointly with the Committee on Governmental Institutions so we can hear what transpired in the Special Committee's meeting.

Delegate Jose R. Cruz: I do not oppose the joint meeting of the two Committees,

however, we still need to draft the constitutional language and we haven't done that yet. Before the Tinian Delegation accepts the solution we have to have draft language. We want to make sure our concerns are protected. I don't know if we will accomplish that this afternoon.

President Guerrero: I suggest that the Committee on Governmental Institutions should proceed with its meeting, and I also urge the Special Committee to come up with the committee's recommendation and draft concerning the "Executive Branch." If you still have areas in which no solution has been formulated, I suggest that the Chairman please try to expedite that problem within your committee and come up with a committee report. Whether you have a minority or majority report, please expedite.

Chairman Jose P. Mafnas: Mr. President, am I to understand that you are withdrawing your directive to the Special Committee to attend the meeting this afternoon?

President Guerrero: As suggested by Delegate Cruz, it may not be wise to meet at this time since they have not reached the drafted language of their proposed amendment.

Chairman Jose P. Mafnas: After hearing the explanation of Delegate Cruz, I was under the impression that the Special Committee had reached a tentative agreement on the problem, but if this is not the case, I withdraw my invitation.

Chairman Benigno Fitial: If that is the case, the Committee on Finance, Local Government and Other Matters will meet alone immediately after this session.

Floor Leader Rasa: I move that the Convention recess until 10:00 a.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 4:30 p.m.

Respectfully submitted,



Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Seventh Day  
Saturday, November 13, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 10:19 a.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 29 Delegates present. Delegates David Atalig, Gregorio Calvo, Jose Cruz, Pedro Dela Cruz, Hilario Diaz, Benjamin Manglona, Prudencio Manglona, Vicente Manglona, Pedro Ogo and Francisco T. Palacios were excused. No Delegates were absent. A quorum was present.

President Guerrero: Mr. Secretary, for your information, the Delegates from Rota and Tinian who are not present are excused as they are attending a meeting in the Rota Delegation room.

Convention Secretary: Also, Delegate Francisco T. Palacios and Delegate Pedro Dela Cruz asked to be excused for very urgent business.

Floor Leader Rasa: I move that those members not present be granted leave of absence.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move that the Summary Journal of the 26th Day and the Verbatim Journal Transcripts of the 12, 16, 17 and 18 Days be adopted by the Convention.

The motion was seconded and carried.

(5) COMMUNICATIONS

Convention Secretary: A communication from the Chairman of the Committee on Finance, Local Government and Other Matters states:

Subject: Appointment of Delegates from Delegations to Conduct Public Hearings

In compliance with your verbal instructions for public hearings, the following Delegates from the Committee on Finance, Local Government and Other Matters have been appointed from their respective Delegations to conduct public hearings on Saipan, Tinian and Rota.

Saipan: Delegate Jesus Villagomez and Delegate Oscar Rasa

Tinian: Delegate Juan Tenorio and Delegate Benigno Fitial

Rota: Delegate Luis Benavente and Delegate Esteven King

President Guerrero: Have the Chairman of the other two Committees submitted the names of the Delegates who will attend the public hearings on Saipan, Tinian and Rota?

Chairman Jose P. Mafnas: I have the names, Mr. President, and I will submit these names to you right after this session.

(6) COMMITTEE REPORTS

Chairman Jose P. Mafnas: On behalf of the Committee on Governmental Institutions, I have the honor to introduce Committee Recommendation No. 4. The Committee's Recommendation concerns the "Executive Branch of Government."

In brief, the Committee recommends that the executive branch be headed by a governor and a vice governor. These officials would serve four-year terms and would run on the same ticket. The article offered by the Committee also provides for a board of education, an attorney general, a public auditor, and a civil service commission. The legislature would have the power to establish additional departments and agencies. The governor would have the authority to reorganize the executive branch subject to a legislative veto if the reorganization would depart from existing law.

Among the governor's prescribed duties are the responsibilities to address the legislature at least once a year and to see that the laws are faithfully executed. The Committee's recommended article would also require the governor to consult with the chief executive officers of Saipan and the islands north of it, Rota, and Tinian, in preparing his proposed annual budget. The governor would also be required to detail to the legislature his response to the budgetary requests made by the chief executive officers of the islands.

The Committee has decided not to submit any proposal with respect to the issues of local government and the powers and title of the chief executive officers of the islands. The Committee believes that further discussion of these issues by the Convention or the Committee of the Whole should be deferred until the President's Special Committee advances its recommended compromise. Accordingly, Mr. President, the Committee respectfully requests that the Convention and the Committee of the Whole neither debate nor vote on these issues during the discussion of Committee Recommendation No. 4. The Committee's reasons for deciding not to propose constitutional language dealing with the lieutenant governor/mayor issue are fully discussed in an attachment to the Report that we submit today.

Mr. President, I ask that the Convention accept Committee Recommendation No. 4 and that it be calendared for early consideration by the Committee of the Whole. Thank you.

President Guerrero: The officers of the Convention, composed of the three Vice Presidents, the three substantive Chairmen, the Floor Leader, and the Convention Secretary, will meet right after this session to decide if this matter will be calendared for tomorrow's meeting.

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS

Chairman Jose P. Mafnas: At this time, I would like to introduce Committee Recommendation No. 4, regarding "The Executive Branch of Government," from the Committee on Governmental Institutions, to the Convention.

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY - None

(12) GENERAL ORDERS OF THE DAY

President Guerrero: As shown on the Order of Business for today, we have Committee Recommendation No. 9 from the Committee on Finance, Local Government and Other Matters, regarding "Preamble," and Committee Recommendation No. 9 from the Committee on Personal Rights and Natural Resources, regarding "Miscellaneous Provisions," to discuss during the Committee of the Whole.

Floor Leader Raza: I move that the Convention resolve itself into the Committee of the Whole.

The motion was seconded and carried.

President Guerrero: May I call on Chairman Felipe Atalig to Chair today's Committee of the Whole discussion.

The Convention resolved into the Committee of the Whole at 10:30 a.m.

The Convention recessed while in the Committee of the Whole. Recess was called at 11:23 a.m., to last until 9:00 a.m. the following morning.

Respectfully submitted,



Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Eighth Day  
Sunday, November 14, 1976

The Constitutional Convention of the Northern Mariana Islands reconvened in Committee of the Whole at 9:14 a.m.

The Honorable Felipe Q. Atalig, Delegate, presided.

The Convention reconvened in Plenary Session at 10:22 a.m.

The Honorable Lorenzo I. Guerrero, President, presided over the Convention.

Chairman Felipe Atalig: The Committee of the Whole deliberated and adopted the following Committee Recommendations: Committee Recommendation No. 9 from the Committee on Finance, Local Government and Other Matters, regarding "Preamble," and Committee Recommendation No. 9 from the Committee on Personal Rights and Natural Resources, regarding "Miscellaneous Provisions." Each of these Recommendations were adopted unanimously.

The Committee of the Whole also adopted, as amended, Committee Recommendation No. 4 from the Committee on Governmental Institutions, regarding "The executive Branch of Government."

The amendments are as follows:

Wherever the words "vice governor" now appear in the text, will be changed to read "lieutenant governor," and wherever the words "lieutenant governor" now appear in the text, will be changed to read "mayor."

Committee Recommendation No. 4: The Executive Branch of Government

Section 18: Public Services.

a) The governor may delegate to the mayor 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.

b) Public services on Rota and Tinian shall be supervised by a resident assistant director in the departments providing such services appointed by the head of the department with the advice and consent of the representatives and senators in the legislature from the island where the assistant director shall perform his duties.

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

Chairman Felipe Atalig: I move that the Convention accept the report of the Committee of the Whole and adopt Committee Recommendation No. 9 from the Committee on Personal Rights and Natural Resources, Committee Recommendation No. 9 from the Committee on Finance, Local Government and Other Matters, and Committee Recommendation No. 4, as amended, from the Committee on Governmental Institutions.

The motion was seconded and carried.

(13) MISCELLANEOUS

*Executive Branch  
whole passed  
Governor - may  
delegate to mayors*

Delegate Jose R. Cruz: Mr. President, I want to express my sentiment on behalf of my Delegation. During the past several weeks, there were times when we were highly emotional and times when statements were made that were uncalled for. But I want to assure this Convention that we all did this in good faith. We don't want to drag into today, yesterday's injustices. But in order for us to justify our position, so that this Convention can understand how much my people have suffered, we have no other alternative but to go on record, Mr. President.

Today I want to thank the members of this Convention, in particular the Chairmen, for their unselfishness and thoughtfulness for making the people of Rota and Tinian their concern. On behalf of my people I want to thank this Convention. Now the Commonwealth is only the next day ahead of us. Thank you.

Delegate Hilario Diaz: On behalf of the Delegation from Tinian I want to assure this Convention that we will cooperate to the maximum extent to assure the conclusion of this Convention, and we will work with full cooperation toward a workable Constitution. Thank you.

Delegate Joaquin Torres: I would like the record to show that Chairman Felipe Q. Atalig chaired the Committee of the Whole during its most turbulent and critical period, and he led discussion with distinction. He should be highly commended.

Delegate Benjamin Manglona: On behalf of my Delegation, I wish to convey our whole-hearted thanks to each Delegate for reaching a workable compromise. I certainly appreciate this opportunity to express this thanks to you.

Delegate Vicente Manglona: On behalf of my Tinian Delegation I would like to thank each and every Delegate for their thoughtfulness and understanding concerning our compromise. Thank you.

Delegate Esteven King: I would like to express my gratitude to all the Delegates who voted for our compromise, but there is still Second and Final Reading. We are happy that we were able to come up with a compromise. We are glad to have cooperation among the Delegates. Thank you.

Delegate David Maratita: I just want to assure the members of the Delegations from Rota and Tinian that, as a Rotanese by birth and as a Delegate by election from Saipan, there was no way in my heart that I could resign myself from the fact that I was a Rotanese. We are discussing issues of concern that will affect the Commonwealth of the Northern Marianas. Regardless of the fact, Mr. President, that I am now living in Saipan, I still want to call myself a citizen of the Northern Marianas first, and a Rotanese, second. The fact is, we are all here working for the good of the Commonwealth. Thank you.

Delegate Pedro Ogo: On behalf of the people of Rota, we are now feeling the sense of unity in this Convention with the adoption of this proposal on the "Executive Branch of Government," No. 4, as amended. Thank you.

Delegate Pedro Igitol: Let me borrow a quotation from Davy Jones, "Damn the torpedoes and full speed ahead." Let's get this thing over with.

Delegate Benigno Fitial: Since we have reached a compromise, I would like to ask that all the Delegates join hands and sing our National Anthem of the Northern Marianas.

President Guerrero: Before we sing, there are still some Delegates who wish to make statements. We will sing our National Anthem before we recess.

Chairman Jose P. Mafnas: I would like the Convention to recognize the presence of the Honorable Minor Pounds, District Attorney from Ponape.

Floor Leader Rasan: This is not the first time that I have tangled with this problem. I am very much impressed by the persistence of the Delegations from Rota and Tinian. I think we all still remember the time I opposed, and I still oppose, in negotiations that they managed to see that there is a bi-cameral congress, which I fought, and still think is not economical. Now they manage, once again, to get what they want on the executive level.



I am not saying that it is wrong, I am only saying that what I did should not be construed as what I think is right. I should be construed it is done because the desire of the people is paramount. Thank you.

Delegate Manuel Tenorio: I just want the Convention to recognize the outstanding work of the Committee on Governmental Institutions who provided the constitutional language and the Special Committee for providing the compromise. Thank you.

Delegate Pedro Dela Cruz: One way to resolve an issue is to argue intensively. This is one way that we can let things out. Because we should not leave here saying, this is what we should have done and should have argued in there. I would like the Delegates to recognize and respect the opinions of others, because we all have different thoughts and feelings. Thank you.

President Guerrero: The Chair would also like to commend the good work of the Special Committee in providing this Convention with a good compromise. I am sure that with all the good words from the Delegates, we will achieve the goal of this Convention.

Delegate Juan DLG. Demapan: It is not only the Delegates from Rota and Tinian who have suffered; the people of Saipan have also suffered. There are a lot of people in Saipan who still don't have running water. We also have suffered regarding hospital services. You sometimes have to spend all day at the hospital for treatment. We are not totally accommodated with such services. I would like to apologize to the Delegates of Tinian and Rota for being controversial. Thank you.

Delegate Maratita: In regards to singing, I move that we go to Committee of the Whole.

President Guerrero: The Chair will recognize the request made earlier by Chairman Fitial that we sing the National Anthem of the Northern Marianas.

Chairman Benigno Fitial: I would like to ask all the Delegates to please join me in singing the National Anthem. (The words are as follow:)

GI TALO GI HALUM TASI

Gi talo gi halum tasi  
'Nai gaigi i tano hu  
Malagoho  
Mil beses yan mas  
Hu saluda hao  
Gatbo na Islas Marianas  
Hu tuna hao

Ya un dia bai hu hanao  
Bai hu fattu ha talo  
Tisina hao hu dingngo  
O tano ho  
Mil beses yan mas  
Hu saluda hao  
Gatbo na Islas Marianas  
Hu tano hao

Delegate Jose R. Cruz: We have just sung our National Anthem of the great Northern Marianas. At this time, I would like to dedicate a song to our future nation, the United States of America. I will sing "God Bless America." If anybody wants to join me, please do so. (The song was sung in unison.)

President Guerrero: This is a very special day and this shows the spirit and harmony present. I hope this will continue and the Convention will proceed with its tasks and that we will finish by our 50th Day.

(14) ANNOUNCEMENTS

Chairman Benigno Fitial: The Committee on Finance, Local Government and Other Matters will meet immediately following this session right here.

Chairman Jose P. Malinas: Since we have solved our most troublesome problem, the Committee on Governmental Institutions will take a vacation today.

President Guerrero: I would like to announce, the officers of the Convention would like to schedule the public hearings in Rota and Tinian on Wednesday, and if possible we would like to conduct the public hearings in Saipan on Wednesday and Thursday. I urge the Committee Chairmen and each Committee Member to be prepared for these important public hearings.

The Committee on Organization and Procedures will meet immediately following this session in the office of the President. This meeting includes the officers of the Convention.

Delegate Jose R. Cruz: Could the Committee Chairmen please announce which members of their respective Committees will be going to Rota and Tinian and attending the public hearings in Saipan?

Committee on Personal Rights and Natural Resources

Rota: Delegates Manuel Tenorio and Felipe Atalig  
Tinian: Delegates Jose Borja and Juan S. Demapan  
(Legal Consultant to Rota: Deanne Seimer)

Committee on Governmental Institutions:

Rota: Delegates Joaquin Torres and Herman Guerrero  
Tinian: Delegates Olympio T. Borja and Jose R. Cruz  
(Other Committee Members will attend Saipan hearings)

Committee on Finance, Local Government and Other Matters

Rota: Delegates Esteven King and Luis Benavente  
Tinian: Delegates Juan Tenorio and Benigno Fitial  
Saipan: Delegates Oscar Rasa and Jesus Villagomez  
(Other Committee Members will attend Saipan hearings)

Chairman Felipe Atalig: I announced earlier that Delegate Ramon Villagomez would be going to Tinian, but at his request to remain in Saipan. Delegate Jose Borja will be going to Tinian in his place.

Delegate Pedro Dela Cruz: Is it alright if a Delegate from Rota or Tinian wishes to follow the team? Can we go along if we pay our own way?


President Guerrero: Yes, any Delegates who wishes to go along, may. But I do suggest that at least one Delegate from Rota and Tinian be present at the Saipan hearings.

Floor Leader Rasa: I move that the Convention recess until 2:00 p.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 10:52 a.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Ninth Day  
Monday, November 15, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:06 p.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 37 Delegates present. Delegate Manuel P. Tenorio and Juan DLG. Demapan were excused. No Delegates were absent. A quorum was present.

Floor Leader Rasa: I move that those Delegates not in attendance be excused.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move for adoption of the Summary Journals of the 27th and 28th Days.

The motion was seconded and carried.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS - None

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS - None

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY

President Guerrero: I would like to ask the Convention Secretary to place all pending Resolutions under Special Orders of the Day for the next day's session.

(12) GENERAL ORDERS OF THE DAY - None

(13) MISCELLANEOUS

Delegate Benigno R. Fitral: Mr. President, all of the Delegates to this Convention can take pride in our decisions of the last few days. I would like to point out a major concern that I have. The geographical minority of our people, through their Delegates, has expressed their concerns thoughtfully and persuasively. The Convention responded by approving the Recommendation of the President's Special Committee. Saipan joined with the outer islands in guaranteeing Rota and Tinian, and hopefully, the Northern Islands, substantial protections under the new Commonwealth government. To make that guarantee, the Saipan Delegation made significant concessions to our colleagues from other islands. I was pleased to support the Special Committee's compromise, because as a member of a minority myself, I understand the concerns of those who fear the excesses of a majority.

It is for my minority -- the 4,000 Carolinians in the Northern Mariana Islands -- that I speak today. For too long, we have been victimized by discrimination -- in jobs, and especially in education, and in access to positions of governmental power. Just as there can be no place for regional prejudices in the new Commonwealth, the brutality of ethnic discrimination must cease. By degrading our Carolinian community, the majority has also deprived the Northern Marianas of the talents of 4,000 of its most productive and creative people. The new Commonwealth will be unable to afford this unthinking waste.

I, therefore, call upon my fellow Delegates to extend the protection of the Constitution to their Carolinian brothers and sisters. In the near future, I will offer several amendments to the constitutional provisions that we have tentatively adopted in principle. These amendments will be designed to assure Carolinians of dignity, equal opportunity, and cultural integrity as we take our place in the new Commonwealth of the Northern Mariana Islands. I urge today, as I shall urge in the remaining days of the Convention, we purge ourselves of the ethnic discrimination that has tainted our political, social, and economic affairs. Thank you.

(Delegate Juan DLG. Demapan entered the Convention Hall.)

Delegate Pedro Ogo: I would like to comment on the Sections on Personal Rights in the preliminary draft of the Constitution. It seems to be worded in a rather negative manner. Could we change this so that the wording would be more positive? There seems to be a lot of "nos" in the Bill of Rights.

Consultant Deanne Seimer: I understand that concern, Delegate Ogo. The reason most of those are phrased as "no," is because there are limitations as to what the government can do with respect to individual personal liberties. So, they are saying "no" to the government; the government cannot do that. Other than what is provided in the Bill of Rights, the government can do anything. That is why it does not have to be phrased positively. There may be some room in the drafting when we go back over and make changes simply for style without changing the meaning. We may be able to accommodate that.

President Guerrero: I have some miscellaneous business to announce and I will read as follows:

The consultants have prepared a preliminary draft of the Schedule on Transitional Matters, which is needed to ensure the orderly transition from the Trust Territory Government to that of the new Commonwealth of the Northern Mariana Islands. The Schedule will be attached to our Constitution and will be approved by the voters at the time the Constitution is ratified. It has the same force as a statute passed by the legislature.

The draft schedule has nine sections. Sections one through seven, which I assign now to the Committee on Finance, Local Government and Other Matters, pertain to the continuity of our current laws, government employment and operations, and judicial and legislative matters; citizenship; and elections. Sections eight and nine, which I assign now to the Committee on Governmental Institutions, deal with election districts and commencement of terms of office of Commonwealth officials.

I urge the Committees to meet and consider these transitional matters as promptly as possible and to report back to the Convention.

Delegate Jose R. Cruz: Mr. President, I just want to ask, now that we have a draft constitution, can we give copies to our constituents to be used during the public hearings? Do we have a sufficient number of copies?

President Guerrero: As discussed yesterday, copies will be available for Tinian and Rota. There will be 100 copies available for Tinian and 100 copies available for Rota. The remaining 300 to 400 copies will be for Saipan. However, copies will be monitored through my office to help eliminate unnecessary cost.

Delegate Jose R. Cruz: Who has the responsibility of bringing these 100 copies to Tinian?

President Guerrero: I have delegated that responsibility to the Secretary of the Convention to make those available as soon as they are ready

Delegate Jose R. Cruz: Mr. President, if there is no substantive committee chairman assigned to attend the Tinian public hearing, can Delegate Olympio T. Borja be designated to chair the hearing?

President Guerrero: We have delegated all the responsibilities to the Vice Presidents for each municipality. I have delegated that responsibility to the Second Vice President from Tinian, Delegate Vicente Manglona.

Chairman Felipe Atalig: I question the necessity of passing out copies of the draft constitution. The reason I state this is I am sure there will be some changes made, therefore, to eliminate this expense, it would be wiser not to pass all those copies out.

President Guerrero: The consensus of the Convention is that the copies are necessary for the public to review in order to take part in the public hearings. I think the purpose of the public hearings, is not only to disseminate what we have accomplished in this Convention and to present a product of our accomplishment but, also, to entertain the views of the people.

Floor Leader Rasa: I received several requests from students at the University of Guam, Guam high school students and other citizens of the Northern Mariana Islands who will be eligible to vote in Commonwealth elections, but who reside in Guam, for a public hearing on Guam. I think there is a need to send some Delegates to Guam for a public hearing. Those who are interested should get together after this session to discuss how this trip will be financed. These people in Guam are very interested and financial problems of the Convention should not be a deterrent.

President Guerrero: We will take note of the possibility of public hearings on Guam and possibly we can send six people to accommodate this request of the concerned people in Guam. It is very important for them to know what is going on. We will check into the financial arrangements.

Delegate Jose R. Cruz: I want to register some concern that the Office of Transitional Studies is being so stingy about the cost of the Constitutional Convention. We are talking about \$1.5 million for the Constitutional Government, and I strongly resent this kind of attitude. All the hopes of the Office of Transition are worthless without this Constitution.

President Guerrero: Point of order. I want to remind the members of the Convention that they formed a Pre-Convention Committee, and the Pre-Convention Committee should look at all these problems that we have today.

Delegate Jose R. Cruz: Many recommendations made by the Pre-Convention Committee were not carried out by the Office of Transition Studies and Planning. That is why I am saying this.

(14) ANNOUNCEMENTS

Chairman Jose P. Mafnas: The Committee on Governmental Institutions will have a brief meeting immediately following this session.

Chairman Felipe Atalig: At this time, I would like the house to recognize the presence of the newly elected Senator from the Territorial Party, the Honorable Norman Tenorio.

Chairman Benigno Fitial: I would like to ask all the members of the Committee on Finance, Local Government and Other Matters to meet with Consultant Howard Mantel immediately following this session to discuss very briefly what we are going to do on the transitional matters.

Delegate Hilario Diaz: Since our Committee on Personal Rights and Natural Resources is not having a meeting today, may we attend the meetings of the other two Committees?

President Guerrero: All Delegates have the privilege of attending any substantive committee meeting.

Floor Leader Rana: I move for the Convention to recess until 9:00 a.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 2:32 p.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

NOTE importance of  
Resolution #2 -  
CNMI was public  
land in Tinian in  
paper of Tinian summit

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
VERBATIM JOURNAL (TRANSCRIPT)

Thirtieth Day  
Tuesday, November 16, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 9:13 a.m.

The Honorable Lorenzo I. Guerrero, President, presided.

(2) A moment of silent prayer was observed.

(3) The Convention Secretary called the roll. There were 35 Delegates present. Delegates Jose R. Cruz, Pedro Q. Dela Cruz, Manuel A. Tenorio and Ramon G. Villagomez were excused. No Delegates were absent. A quorum was present.

Floor Leader Rasa: Mr. President, I move that those Delegates not present be excused.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: Mr. President, I move that the Summary Journal of the 29th Day be adopted by the Convention.

The motion was seconded and carried. The Summary Journal of the 29th Day was adopted.

Delegate Juan DLG. Demapan: I move that the Verbatim Transcripts of Days 19, 22, 23 and 24 be adopted by the Convention.

The motion was seconded and carried. The Verbatim Transcripts of Days 19, 22, 23 and 24 were adopted.

(5) COMMUNICATIONS - None.

(6) COMMITTEE REPORTS

Chairman Mafnas: Mr. President, your Committee on Governmental Institutions met yesterday and discussed Resolution No. 5, as introduced by the Honorable Delegate Ramon G. Villagomez. It passed unanimously.

President Guerrero: A sheet should have been distributed giving the schedules for public hearings. For that purpose we'll have a five-minute recess.

The Convention recessed at 9:18 a.m.

RECESS

(Delegates Manuel Tenorio and Ramon Villagomez entered the Convention Hall during the recess.)

The Convention reconvened at 9:25 a.m.

President Guerrero: The Chairmen should now have all necessary papers pertaining to the public hearings and we can proceed with our order of business.

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS - None.

(8) SECOND AND FINAL READING OF PROPOSALS - None.

(9) INTRODUCTION OF RESOLUTIONS - None.

(10) UNFINISHED BUSINESS - None.

(11) SPECIAL ORDERS OF THE DAY

Floor Leader Rasa: I move for the adoption of Resolution No. 2, as introduced by Delegate Felipe Atalig.

The motion was seconded.

Delegate David Maratita: Mr. President, I move that we resolve into the Committee of the Whole in order to discuss these Resolutions.

Floor Leader Rasa: Mr. President, I don't think it is necessary that we resolve ourselves into the Committee of the Whole. These are very short Resolutions and the arguments for and against them could be easily perceived. It would be a waste of time to resolve into the Committee of the Whole.

President Guerrero: The Chair will recognize the fact that we can discuss this in Plenary Session rather than resolving into the Committee of the Whole, if there is no objection from the floor. If there is no objection, we will proceed with the discussion on Resolution No. 2.

Delegate Maratita: Mr. President, the Resolution before us for discussion, I feel is not necessary due to the fact that the substance of the Resolution is noting that the Convention is aware that any land on Tinian which has been leased to the United States is publicly owned land. If we were to read the Covenant, Mr. President, it is a well-established fact that these publicly owned lands on Tinian are publicly owned lands. I don't think we should dwell on the necessity of taking a stand on this Resolution. It would be a waste of our time and I hope the Convention will see no need to pass this Resolution.

Delegate Hilario Diaz: Since the Covenant has explicitly stated reasons for leasing the land on Tinian and that is public land, I do not see a reason for the Resolution. However, Mr. President, I would like the introducer to give us some enlightenment as to what prompted him to introduce this Resolution and what was his intention.

Delegate Felipe Atalig: First of all, I share the views of the Delegate from Garapan, Maratita. But it appears to me, Mr. President, that the Delegate from Garapan still has a misconception as to the content of the Resolution itself. The purpose of the Resolution is to reconfirm and reaffirm the position as stated in the Covenant. I feel that this Convention should adopt a position whereby to reinforce the Covenant. I think the Delegate from Garapan should be aware of and remember different deliberations by different representatives which have been stated and claim that the two-thirds land of Tinian belongs to the people of Tinian. This is the idea, Mr. President. I want to convey the message and remind them that the two-thirds land of Tinian is not the land of the people of Tinian, but is the land of the Northern Marianas Commonwealth Government. Therefore, Mr. President, I see no harm in passing this Resolution to reconfirm our position.

Delegate Benigno Ftial: Although I don't see any harm, I still don't see any need. Mr. President, we are aware that the land leased to the military on Tinian is public land and there is no need to reaffirm that awareness. Therefore, Mr. President, I move that this Resolution be tabled.

The motion was seconded.

Delegate Jose Mafnas: Privilege, Mr. President. May I ask the mover of the motion to please withdraw his motion to table. There are Delegates who have questions on this particular Resolution.

Delegate Ftial: Do we continue to question our awareness?

Delegate Mafnas: It goes further than that, Mr. President. May I ask the mover of the motion to please withdraw his motion.

Delegate Ftial: No.

Motion to table Resolution No. 2 carried by roll call. The votes were as follow:

Yes: Delegates David Atalig, Pedro Atalig, Felix Ayuyu, Jose



Borja, Carlos Camacho, Daniel Castro, Juan DLG. Demapan, Hilario Diaz, Benigno Fitial, Herman Guerrero, Henry Hofschneider, Esteven King, Benjamin Manglona, David Maratilla, Pedro Ogo, Jesus Villagomez and Ramon Villagomez.

No: Delegates Felipe Atalig, Gregorio Calvo, Jose Mafnas, Vicente Manglona, Francisco Palacios, Oscar Rassa, Leon Taisacan, Juan Tenorio, Manuel Tenorio and Joaquin Torres.

Abstain: Delegates Vicente Attao, Luis Benavente, Olympio T. Borja, Antonio Camacho, Magdalena Camacho, Juan S. Demapan, Lorenzo I. Guerrero, Pedro Igitol, Luis Limes, and Prudencio Manglona.

Floor Leader Rassa: I move that Resolution No. 3 be filed by the Convention.

The motion was seconded and carried by voice vote.

Delegate Jose Mafnas: I move that Resolution No. 5 be adopted unanimously.

The motion was seconded.

Delegate Joaquin Torres: Mr. President, I ask that Delegates who are affected by this Resolution not vote, based on conflict of interest.

Delegate Gregorio Calvo: Mr. President, yesterday the Committee on Governmental Institutions met and agreed to include the name of the author of this Resolution. Am I in order to make an amendment from the floor at this time?

President Guerrero: You are in order to make an amendment if there's no objection.

Delegate Calvo: I would like to make an amendment to include the words "Introduced by Ramon G. Villagomez" following the title sentence of the Resolution. It would then read, "A Resolution offering sincere congratulations to the delegates and other members of the new legislature, as offered by Delegate Ramon G. Villagomez."

The motion was seconded.

Delegate Felipe Atalig: Mr. President, with all due respect to my fellow delegate from Rota, I really don't see a need for inserting the words after "legislature" of "introduced by Delegate Villagomez." I think introducing that would have some significant change on the title itself. And, besides, Mr. President, the original appeared with the introducer's name on the Resolution. It is for that very reason that I am against the proposed amendment.

Delegate Calvo: Mr. President, I just feel that the person introducing this should be given due recognition.

Delegate Olympio T. Borja: Mr. President, I believe it is just a matter of style. If we put the name of the introducer following the title sentence it could affect the title, but I go along with the mover that the name of the introducer should be inserted. I would like to ask the mover if he would have any objection to putting that "introduced by" following "Resolution No. 5" and just above "A Resolution offering...." If he will go along with that, I will support it. I think that would be the most appropriate spot.

Delegate Benigno Fitial: I don't see any need, Mr. President, to insert the name of the introducer. I have never seen a resolution that was passed by a legislative body or any constituted body that included the name of the introducer. I think that if we all agree to endorse this Resolution, it should bear the name of the body, rather than the name of an individual.

Floor Leader Rassa: Mr. President, there is no rule which restricts specification regarding the author, but it is a normal procedure that anything introduced on an individual basis and adopted by the house, should be the property of the house. I have no objection to putting somebody's name as the introducer but, then, there might be some future question as to what will happen to individual proposals which have been taken into consideration by the committees--whether our names would be reflected on the documents--or whatever it is. My point in question is that it is not the normal legislative procedure to have the name of the introducer included in the Resolution which is supposed to be

attested by the officers of the Convention. I think it is necessary that we realize the fact that although we have various ideas coming into the Convention, the action of the Convention should be considered as a unitary action in that only the officials of the Convention should have their names specified in the documents. I would have to oppose such a move simply because it would technically provide precedence for future disputes over ideas as introduced by individual delegates.

Delegate Joaquin Torres: Mr. President, since the issue under debate relates to giving due recognition to individual delegate's effort in this Convention, I move that a verbatim transcript of all those speaking in favor of the Resolution be attached to this Resolution.

President Guerrero: Delegate Torres, we are discussing the motion offered by Delegate Calvo from Rota.

Delegate Torres: I am amending the motion, Mr. President.

Delegate Torres' motion to amend was seconded.

President Guerrero: May I ask the mover of the motion to amend to restate his motion.

Delegate Torres: The motion is to incorporate Delegate Calvo's suggestion of inserting Delegate Villagomez' name in the title of this Resolution. And, then, my motion was to also include a verbatim transcript of all those speaking in favor of this Resolution to be attached to the Resolution before it is submitted to those individuals covered by the Resolution.

On voice vote, Delegate Torres' motion to amend was defeated.

Floor Leader Rasa: Mr. President, I forgot to include that should a person desire to know the name of an introducer, the record will reflect all names of introducers of all measures. To have somebody's name on the Resolution would only duplicate what we already have in the record of the Convention.

Delegate Olympio T. Borja: Mr. President, I am still in support of inserting the name of the introducer. I am, mainly, because yesterday when your Committee deliberated they agreed that we should recognize the author. As pointed out by Floor Leader Rasa, if we don't have a rule specifically providing for this, either we put it or we don't. Our legislature in the Northern Mariana Islands, on bills or resolutions, puts "introduced by." That is provided for in the rules there and although our rules don't so provide, I don't think it would hurt since the Committee recommended doing so. I, therefore, still support the motion to insert the name of the introducer by putting the words "Introduced by Delegate Ramon G. Villagomez" on top of the words "A Resolution."

Delegate David Maratita: I wonder if the Committee Chairman, to which this Resolution was referred, has made a report as to the action taken. That would constitute a record to the Convention, and I believe the action taken yesterday in the Committee would reflect that the person who introduced the Resolution was the Honorable Ramon G. Villagomez and if the action taken by the Committee was favorable. I am neither recommending nor not recommending the approval of inserting the name of the introducer in the Resolution, but I think, as a matter of practice, normally the name of the introducer is not on the final product of a Resolution, or Bill, for that matter. It does not make much difference to me, Mr. President, and I urge that we take a vote.

Delegate Jesus Villagomez: I believe we have had enough discussion on this matter and I, therefore, move we end debate.

The motion was seconded and carried.

Chairman Jose P. Mafnas: Point of privilege. We cannot vote on the amended motion because we have not temporarily suspended Rule 47, according to our Rules of Procedure.

Delegate Olympio T. Borja: I believe with unanimous consent we can entertain any amendment or we can move for the suspension of Rule 47.

Chairman Jose P. Mafnas: Yes, Delegate Borja is correct. That was on Resolution No. 2 and No. 3. We are now discussing Resolution No. 5.

Floor Leader Rana: I move that we suspend House Rule 47.

The motion was seconded and carried.

Delegate Jesus Villagomez: Point of order. I thought the suspension had to be unanimously approved. I raised up my full opposition to the suspension, therefore, it could not possibly be approved.

President Guerrero: If I am not mistaken, Rule 47 suspension, does not require unanimous consent, but a majority consent.

Delegate Jesus Villagomez: Do you mean that unanimous consent means a simple majority? That is not unanimous consent.

Chairman Felipe Atalig: I don't think the speaker in the back is fully aware of what is specified in Rule 47. Rule 47 does not specify that it has to unanimous consent, therefore, I believe we are in order.

President Guerrero: We will now vote on Delegate Calvo's amendment to the motion. Would the Secretary please read the amendment to the motion?

The proposed amendment was as follows:

I move that the words "Introduced by Delegate Ramon G. Villagomez," appear on the resolution above the words "A RESOLUTION."

Delegate Olympio T. Borja: As I stated earlier, possibly we could put the words "Introduced by," following the "Resolution No. 5", and then the words "A Resolution." If this is acceptable to Delegate Calvo, then this is the amendment to the motion.

President Guerrero: The Chair believes the normal procedure, if you want to include the name of the introducer, is to place it on the top right-hand side of the page: "Introduced by."

Delegate Francisco T. Palacios: We are spending too much time on this kind of monkey-business.

Delegate Gregorio Calvo: I am in agreement with the amendment as stated by Delegate Borja.

The motion to amend the Resolution carried.

Chairman Jose P. Mafnas: I move that the remarks made by Delegate Palacios be stricken from the record. This is not monkey-business.

Delegate Francisco T. Palacios: I am privileged to say whatever I want on the floor.

President Guerrero: The Chair will recognize that that is the privilege of the individual Delegate. But I hope that after this session, Delegate Palacios will request that the Secretary strike that word from the record.

Delegate Francisco T. Palacios: No, Mr. President.

President Guerrero: We will not vote on the adoption of Resolution No. 5, as amended.

The motion was carried.

The Resolution is as follows:

Introduced by Delegate Ramon G. Villagomez

A RESOLUTION

Offering sincere congratulations to the delegates and other members of the new legislature.

WHEREAS, the people of the Northern Mariana Islands have elected a new group of legislators, including delegates to the Constitutional Convention, as members of the new legislature; and

WHEREAS, the delegates and the other new legislators will ensure that preparation for the Commonwealth Government is efficient and thorough; and

WHEREAS, the spirit of unity, effectiveness and fairness necessary to the above endeavors is being promoted by the delegates and the other legislators;

NOW, THEREFORE, BE IT RESOLVED, That the Northern Marianas Constitutional Convention offers its sincere congratulations to the delegates and the other new members of the new legislature, and that a copy of this Resolution be sent to each member of the new legislature.

ADOPTED: November 16, 1976

/s/Lorenzo I. Guerrero  
President, Constitutional Convention

/s/Pedro M. Atalig  
Convention Secretary

(12) GENERAL ORDERS OF THE DAY - None

(13) MISCELLANEOUS

Chairman Benigno Fitial: Several days ago, this Convention adopted a Resolution, which I introduced, which congratulated the newly elected President of the United States. I want to register my concern that that Resolution was unanimously adopted by the Convention and the introducer was not recognized. It was considered as offered by the Committee of the Whole. Mr. President, there is some inconsistency. I want to point this out for the Convention.

President Guerrero: For your information, there was a motion at that time, if there was no objection, that the Committee of the Whole appear as the introducer of that Resolution.

Chairman Benigno Fitial: I was hoping that the Convention would have more sense of respect for the introducer, the author of the Resolution. I agree with Delegate Palacios, so let us not monkey around.

President Guerrero: I would like the Convention to recognize the presence in the gallery of the students from Marianas High School, as well as their teacher. They are here to study the Convention, as well as being interested citizens of the Northern Marianas.

Delegate Juan DLG. Demapan: I want to advise the Convention Delegates to please be careful of the language they use. In the gallery there are several students, and it is very improper for any Delegate in this Convention to use improper or unfair language. Thank you.

Delegate Joaquin Torres: Several people have indicated to me that they are having problems obtaining copies of the proceedings of this Convention. I understand, from these people, that they are not being provided copies because there is no money to duplicate more documents. Perhaps, Mr. President, you can direct the Secretary to make these documents available to anyone upon request. Also, the press has complained to me that they are not receiving copies. The reason given is that there is no money to duplicate copies. I would hope that a box would be provided for the press to obtain copies of the proceedings of this Convention. Not only the Pacific Daily News, but our local paper.

I would also like to find out the status of Delegate Rasa's request for public hearings in Guam.

President Guerrero: There will be a delegation of not more than six members, at least one from each municipality, sent to Guam over the weekend.

Convention Secretary: I would like to make a remark in regard to Delegate Torres' statement. First of all, the press has never approached me in asking that copies be provided for them. We have, in the xerox room, set aside special boxes for them. I have directed my xerox people to provide all reports to the press and to put it in their respective boxes; which they have. I am kind of dissatisfied that the press is going to you and not to me. I wonder if they think you are the Convention Secretary. I have informed my public information officers and administrative assistants to provide information to the public and I have not heard complaints coming to me.

Delegate Benjamin Manglona: Since you have appointed me to head the Delegation for the Rota public hearings, I am proud to announce that the following people were appointed by their respective substantive committees to go to Rota. They are: Delegates Felipe Atalig, Manuel Tenorio, Herman Q. Guerrero, Joaquin Torres, Luis Benavente, Esteven King, David Atalig, and Greg Calvo. I am proud to say that the people of Rota are looking forward to receiving them with honor. The check-in time will be tomorrow, Wednesday, at 3:30 p.m. at the Continental ticket counter.

Delegate Vicente Manglona: The Delegates going to Tinian are: Benigno Fitial, Juan Tenorio, Jose Cruz, Antonio Camacho, Olympio T. Borja, Juan S. Demapan, Jose Borja, and Pedro Ogo. Also, legal consultant, Mark Weisburd, will accompany our delegation. There are two flights scheduled to Tinian and I would like to see everyone be on schedule.

Delegate Benjamin Manglona: Also accompanying the delegation to Rota are two consultants, and it is a pleasure to have them accompany the delegation to Rota. This delegation will be returning to Saipan, Thursday, at 2:30 p.m. We are scheduling public hearings on Rota on Wednesday at 7:30 p.m. and on Thursday from 8:00 a.m. to 12:00 noon.

Delegate Francisco T. Palacios: I would like to announce the names of the members on the committee for the Saipan public hearings. They are: Delegates Ramon Villagomez, Oscar Rasa, Jesus Villagomez, and all members of the Committee on Governmental Institutions who are not going to Rota and Tinian. Other Delegates not going to Rota and Tinian are welcome to come in and participate in the Saipan public hearings.

I want to meet with the members of the Saipan public hearings immediately following this session to discuss our program.

Delegate Vicente Manglona: I will give the members of the Tinian Public Hearing Delegation copies of the schedule.

President Guerrero: The Chair would like to urge the Delegates who are not going to Tinian and Rota public hearings to participate in the public hearings in Saipan. We will conduct the hearings here starting at 9:00 a.m. tomorrow and the following day. Please check with Delegate Palacios on the schedule to see if there are any changes.

Also, the Chair would like to announce that the group going to Guam sometime this weekend to meet with the University students, will be Chaired by Floor Leader Rasa. Delegate Benigno Fitial will also accompany the group. I would like to check with Delegate Olympio T. Borja to see if he will be able to attend this hearing. The other member will be delegated by the President of the Convention.

Delegate Joaquin Torres: I just came back from the Xerox room as a follow-up on the Convention Secretary's statement, and the Xerox man told me there was no box for the Marianas Variety. So I would hope that you will take care of this.

President Guerrero: We will communicate with our Secretary. For your information, a week ago, the Secretary of the Convention advised me that the Marianas Variety had been neglecting to pick-up their copies.

(14) ANNOUNCEMENTS

Chairman Benigno Fitial: Your Committee on Finance, Local Government and Other Matters will meet immediately following this session to discuss transitional matters. Copies will be distributed at that meeting.

Chairman Jose P. Mafnas: Your Committee on Governmental Institutions will meet immediately following this session to discuss transitional provisions. I urge every member to be present.

President Guerrero: I would like to request that the Delegation from Rota and the Delegation from Tinian should try to select at least one Delegate to accompany the group to Guam for public hearings. Report who you have selected to me please.

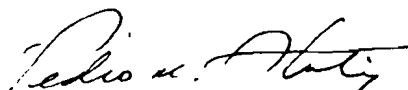
Also, there will be a meeting at 1:00 p.m. today of the three Committee Chairmen, the Floor Leader, Convention Secretary and the three Vice Presidents.

Floor Leader Rasa: Since we will be having public hearings tomorrow and Thursday, I would like to move that the Convention recess until Friday at 2:00 p.m.

The motion was seconded and carried.

The Convention recess at 10:15 a.m.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary

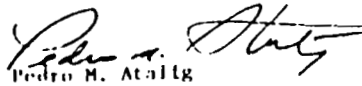
CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Thirty-First Day  
Wednesday, November 17, 1976

There was no Plenary Session this date, however, there were public hearings.

Respectfully submitted,


  
Pedro M. Atallg  
Convention Secretary

CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
VERBATIM JOURNAL (TRANSCRIPT)

Thirty-Second Day  
Thursday, November 18, 1976

There was no Plenary Session this date, however, there were public hearings.

Respectfully submitted,

  
Pedro M. Atalig  
Convention Secretary