

CONSTITUTIONAL CONVENTION
of the
NORTHERN MARIANA ISLANDS

CONVENTION JOURNAL

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 every one 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: 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. 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 counselling 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 responsibility, 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. Attao: I move that nominations close.

The motion was seconded to close nominations.

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 Senator Guerrero to the chair.

President Lorenzo I. 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 has 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 setforth under the Covenant on the establishment of the Commonwealth of the Northern Marianas.

Framing a constitution isnot an easy task. Each and every Delegate has his or her own ideas and beliefs on what should best suit the requirements under our new government, and which governmental setup would be the most suitable for adaption. 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 Lorenzo I. Guerrero: Before we go on to the next item on the agenda, which is adoption of Rules of Procedure, I recognize Benigno R. Fitial.

Delegate Benigno R. Fitial: I move we postpone items eight (8) and nine (9) and move on to other business. The motion was seconded.

President Lorenzo I. Guerrero: There is a motion on the floor that we suspend Rules of Procedure (item 8) and Election of other Officers (item 9) at this time and this has been seconded. Delegate Jose R. Cruz.

Delegate Jose R. Cruz: I move we have a 10 minute recess.
The motion was seconded.

President Lorenzo I. Guerrero: The chair recognizes that we should dispose of the motion for recess first. A voice vote was taken and was not conclusive. We will take a roll call vote at the request of Jose R. Cruz.

The roll was called and the Delegates voted as follows:

AFFIRMATIVE: 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: Felipe Q. Atalig, Vicente T. Attao, Luis A. Benavente, Juan S. Demapan, Benigno R. Fitial, Pedro L. Igitol, Luis M. Limes, Jose P. Mafnas, Francisco T. Palacios, Oscar C. Rasa, 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, Stephen M. King.

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

President Lorenzo I. 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 until later on today. We will proceed with a voice vote.
(A voice vote was taken and the motion was passed.)

The next item on our agenda is item ten (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 Eleven (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 Marianas Island 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 all my law firm to assist this Convention in this 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 have to opportunity to get to know all of you as you accomplish your objective.

I would like to introduce at this time two of my senior colleagues who will be helping this Convention with its work. 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 resided 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.

Secondly I would like to introduce Howard Mantel, who is the Associate Director of the Institute of Public Administration. Mr Mantel is a lawyer by training but has left is law profession, while working with the Institute as advisor to local, state, and federal Government Agencies in the United States. Mr. Mantel has a wide variety of experience you can take advantage of in the course of your deliberations.

We have four additional lawyers, from my Law Firm, Mr. Paul S. Koffsky, Robert A. Major, Neal S. Solomon and A. Mark Weisburd. They will be working with Mr. Mantel and myself and the Convention as-a-whole during its work. As you know from our briefing papers, we have basically one assignment here, that is to help you prepare a Constitution that is consistant with the Covenant and the United States Constitution. We have prepared briefing papers which are designed to put before you the various alternatives which we think you will like to consider on many of the important issues before this Convention. We are here to provide you with our guidance which you requested and 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 as 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, Lorenzo I. 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 as the Chairman of the Pre-Convention Committee. Mr. Mafnas:

Chairman, Jose P. Mafnas: 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, Lorenzo I. 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, Lorenzo I. 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 dan-gkulo na 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 effeciently and effectively, in the best spirit of harmony, cooperation, and mutual interest for the benefit of our people, and I offer my sincere coopera-tion 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 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 involoes 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 or Wilmer, Cutler & Pickering for the extensive and exhaustive brief-ing 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, Lorenzo I. 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, Pedro Nakatsukasa, Jose C. Tenorio, Mayor Felipe Mendiola, Speaker Jose R. Rios, Speaker Alfred Apatang, Chief Exec. Francisco C. Ada, Dr. Benisto R. Kaipat, and Jose R. Lefoifoi.

President, Lorenzo I. Guerrero: The chair recognizes Benigno R. Fitial, Delegate from Saipan.

Delegate, Benigno R. Fitial: I move we adjourn 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, Lorenzo I. Guerrero: The motion has been made and seconded that we adjourn until 1:30 p.m. today. We will have a voice vote.

A vote was taken and motion carried.

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 Rules 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 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 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 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 of Procedure. 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 C. Rasa: 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 Guerrero. Delegate 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. 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.

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 Rasa, 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 C. Rasa: Mr. President, I made a motion for the previous question.

President Guerrero: We will now vote on Delegate Rasa's motion for the 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 the proposed eleven amendments.

President Guerrero: Is there a second?

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. Fitial: 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 Vincente 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.

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 being our new Floor Leader, the election of our officers is now concluded.

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, Steven 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: Mr. President, did you have further business?

President Guerrero: Yes, I would like to make a reminder that 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.

Delegate David Q. Maratita: Mr. President, I would like to inquire what title we are going to use. 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 Oscar Rasa. I would like at this time to make a brief speech on his behalf. (Laughter)

Floor Leader Rasa: Mr. President, it would be most appropriate if I did this in writing. That is the reason I have not already expressed my appreciation. 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 this Convention recess until nine o'clock tomorrow morning.

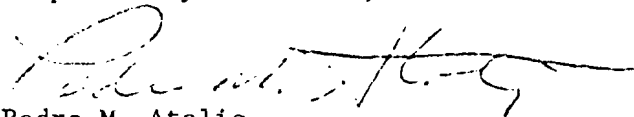
The motion was seconded to recess.

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

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

The Convention was recessed at 3:15 p.m.

Respectfully submitted,



Pedro M. Atalig
Convention Secretary