

rec'd
11-17-76

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 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 transportaton 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.

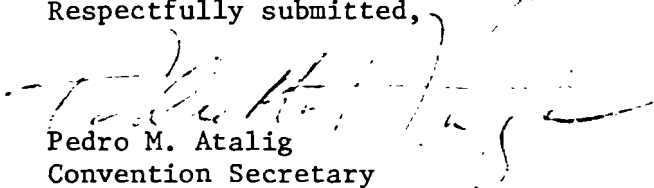
President Guerrero announced that there would be a meeting of the Committee on Organization and Procedures in the Office of the President at 1:00 p.m.

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