

CONSTITUTIONAL CONVENTION
of the
NORTHERN MARIANA ISLANDS

rec'd 11-17-76

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 DLG. 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 Atalig: 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.

Delegates 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.

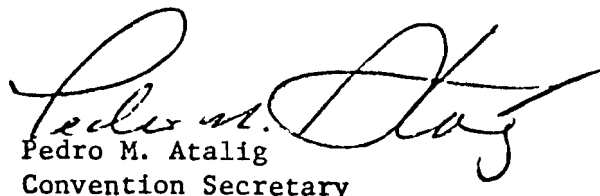
Chairman Benigno Fitial: The Committee on Finance, Local Government and Other Matters will meet tomorrow morning for the entire day and again the following morning.

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