

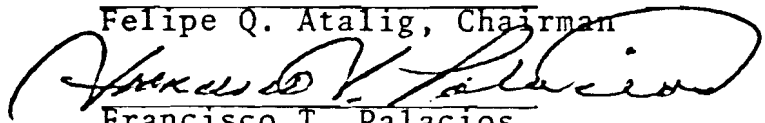
October 29, 1976

REPORT TO THE COMMITTEE OF THE WHOLE BY
THE MINORITY OF THE COMMITTEE ON PERSONAL
RIGHTS AND NATURAL RESOURCES

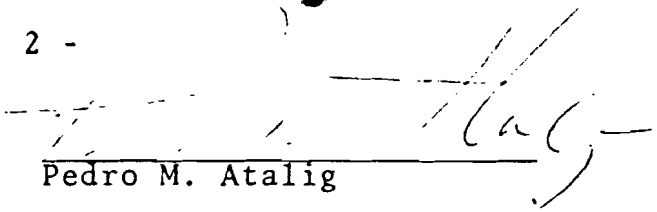
The minority of the Committee on Personal Rights and Natural Resources agrees with the Committee's recommendations with respect to initiative with one exception. The minority recommends either that Section 1(a) require the signing of initiative petitions by twenty percent of the qualified voters in each chartered municipality, or that Section 1(d) be amended to require approval of an initiative proposal by three-fourths (3/4) of the votes cast on the proposal in order for that proposal to become law. The Committee recommendation requires approval by a majority of the votes cast on the proposal. Either one of the changes in the Committee's recommendation supported by the minority will allow adequate representation and protection of those voters who reside on the islands other than Saipan and will guarantee widespread voter approval of initiative proposals on all of the islands in the Commonwealth.

Respectfully submitted.
for the Committee,

Felipe Q. Atalig, Chairman



Francisco T. Palacios,
Vice Chairman

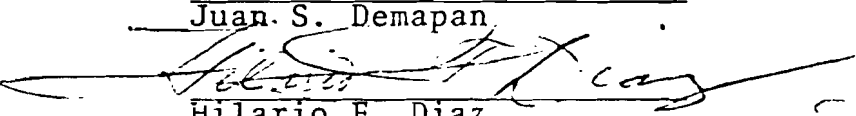

Pedro M. Atalig


Felix A. Ayuyu

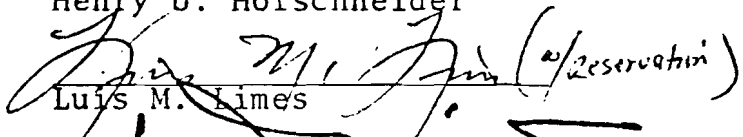
Jose S. Borja

Daniel P. Castro

Juan S. Demapan


Hilario F. Diaz


Henry U. Hofschneider


Luis M. Limes (Reservation)


Leon I. Taisacan

Manuel A. Tenorio

Ramon G. Villagomez

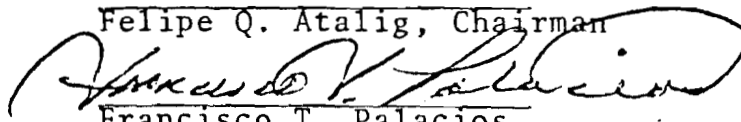
October 29, 1976

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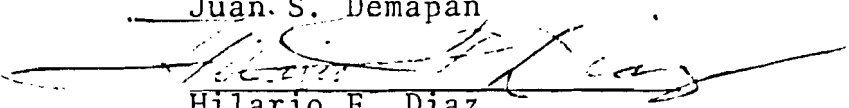
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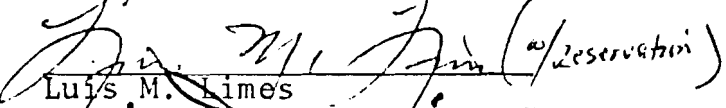
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October 26, 1976

REPORT TO THE COMMITTEE OF THE WHOLE
BY THE COMMITTEE ON PERSONAL RIGHTS
AND NATURAL RESOURCES

Subject: Reconsideration of Committee Recommendation No. 3:
Referendum and Recall

Pursuant to the action of the Committee of the Whole to refer back to the Committee on Personal Rights and Natural Resources Committee Recommendation No. 3 on Initiative, Referendum and Recall, the Committee has reconsidered these matters and has revised some of its proposed language on recall. The language on referendum remains unchanged. The Committee members are submitting two separate reports on initiative.

The Committee's reasons for its revisions are as follows:

Section 2(a) has not been changed.

Section 2(b) has not been changed.

Section 2(c) has not been changed.

Section 2(d) has not been changed.

Section 3(a) has been revised to require that grounds for a recall petition be stated in the petition. This change removes this matter from the discretion of the legislature and requires that each petition state the grounds on which recall is sought. In this way, each person who signs a petition will be informed of the reasons why recall is sought

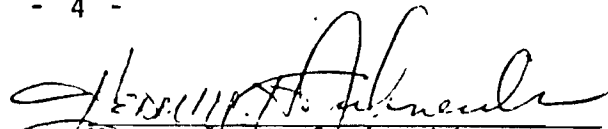
and can make an informed decision whether to sign the petition. The revision does not place any limitations on the grounds for recall. The Committee believes that removal by the voters should be as unlimited as election by the voters.

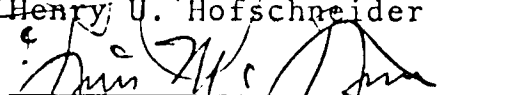
Section 3(b) has not been changed.

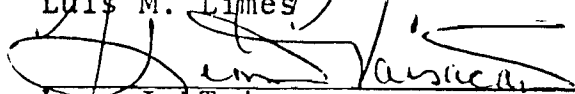
Section 3(c) has been changed to provide that the legislature may require recall petitions to be submitted at special elections instead of general elections. This is the same provision that was formerly in Section 3(e). The Committee believes that it is generally best to avoid special elections because of the cost involved. However, the Committee recognizes that great damage can be done to the public interest by a corrupt or otherwise incapable public official and it may be better to permit a recall petition to be considered by the voters immediately, rather than waiting for the next general election. The Committee's recommended provision gives the legislature flexibility in this regard. The legislature can weigh the cost of special elections, can consider the frequency with which recall is used, and can decide if special elections are worth the cost.

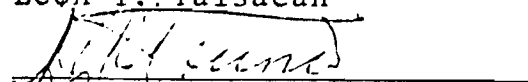
Section 3(d) has not been changed.

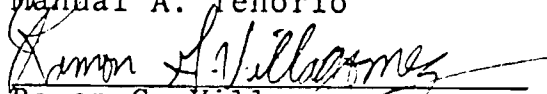
Section 3(e) has been changed to provide that a recall petition cannot be used against a public official during the first six months of his term in office. This prevents abuse of the recall process by using it immediately


Henry U. Hofschneider


Luis M. Limes

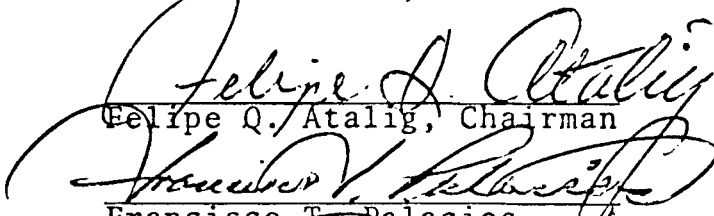

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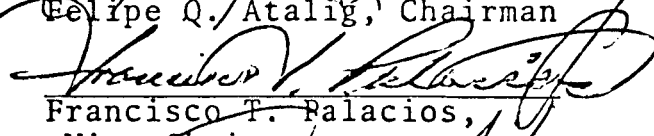

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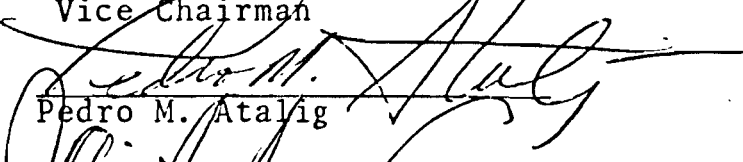

Ramon G. Villagomez

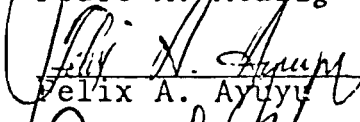
after the election in which the people have expressed their approval of the elected official. It permits the elected official to have some time in office to prove himself before he can be challenged. Section 3(e) has also been changed to provide that a recall petition cannot be used against a public official more than once a year. This prevents abuse in subjecting a public official to continuous recall elections. This section applies only to a single public official. It does not prevent more than one recall petition against different public officials to be used in any one year.

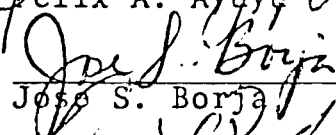
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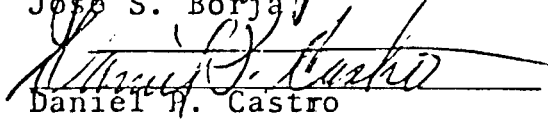

Felipe Q. Atalig, Chairman

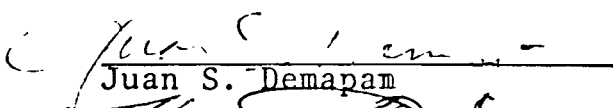

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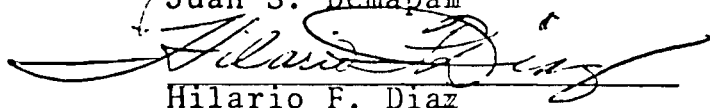

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ARTICLE ____
INITIATIVE, REFERENDUM AND RECALL

Section 1: Initiative.

(See separate majority and minority reports.)

Section 2: Referendum. The people may reject any act of the legislature by referendum.

a) A referendum petition shall contain the full text of the law that is sought to be rejected and shall be signed by a number of qualified voters equal to at least twenty (20) percent of the total number of qualified voters within the Commonwealth.

b) Referendum petitions shall be filed with the Attorney General for certification that the requirements of Section 2(a) have been met.

c) Referendum petitions certified by the Attorney General shall be submitted to the voters at the next regular general election.

d) A referendum petition submitted to the voters shall take effect if approved by a majority of the votes cast and the law that is the subject of the petition shall become null, void and be repealed thirty (30) days after the date of the election unless the referendum petition otherwise provides.

Section 3: Recall. All elected public officials in the Commonwealth are subject to recall by the voters of

the Commonwealth or political sub-division from which elected.

a) Recall petitions shall identify the public official sought to be recalled by name and title or office, shall state the grounds for recall, and shall be signed by a number of qualified voters equal to at least forty percent of the total number of persons qualified to vote for the public office from which the public official is to be removed.

b) Recall petitions shall be filed with the Attorney General or, if recall of the Attorney General is sought, with the Governor for certification that the requirements of Section 3(a) have been met.

c) Recall petitions that have been certified shall be submitted to the voters at the next regular general election unless the legislature provides that recall petitions be submitted at special elections.

d) A recall petition shall take effect thirty (30) days after the date of the election if approved by a majority of the votes cast.

e) Recall petitions shall not be filed against any public official more than once in any year or during the first six months of a term in office.