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REPORT TO THE CONVENTION BY THE  
COMMITTEE ON GOVERNMENTAL INSTITUTIONS

Subject: Committee Recommendation Number Four:  
The Executive Branch of Government

The Committee on Governmental Institutions recommends that the Convention sitting as a Committee of the Whole adopt in principle the attached constitutional provisions with respect to the executive branch of government.

The Committee believes that the Commonwealth of the Northern Mariana Islands should have an executive branch headed by a popularly elected governor and vice governor. Under the Committee's recommendation, the governor's power would include the authority to appoint department heads with the consent of the senate and to remove them, to prepare a budget in consultation with the chief executive officers of Saipan, Rota, Tinian, and the Northern Islands, and to fill a vacancy in the office of vice governor if necessary. The Committee's recommended constitutional language also contains provisions regarding succession to the governorship, the absence or disability of the governor, the impeachment of executive branch officials, the qualifications, duties and compensation of the governor, vice governor, and lieutenant governors, the civil service system, executive and administrative departments, and the offices of attorney general and public auditor. The Constitutional provisions offered

by the Committee comprise an article of seventeen sections and are unanimously approved except for section 11, creating three lieutenant governors, which is the subject of a separate minority report.

The principal issues considered by the Committee and the reasons for the Committee's proposed constitutional language are discussed below.

Section 1: Executive Power. This section provides that all of the executive power of the Commonwealth will be exercised by a governor and the officials specified in the article. Article II, § 203(b) of the Covenant requires that the chief executive officer of the Northern Mariana Islands be given the title of governor.

Section 2: Qualifications of the Governor. This section requires that the governor be thirty years old, possess United States citizenship or nationality, be a qualified voter of the Commonwealth, and have resided and been domiciled in the Northern Mariana Islands for the seven years immediately preceding his election. The recommended provision does, however, permit the legislature to increase or to decrease the period of residency and domicile.

The Committee believes that its proposed age requirement would promote the election of mature and experienced governors. This requirement would not, in the Committee's view, significantly reduce the number of qualified individuals available for the governorship.

This is the same age that the Committee has recommended for judges and for the Washington representative.

Limiting eligibility for the governorship to qualified voters would ensure that candidates for the office are not mentally incompetent. It would also prevent those deprived of the franchise because of criminality from seeking the post of chief executive. The Committee believes that these protections would serve the Commonwealth well.

The Committee is persuaded that requirements of residency and domicile would produce governors who are sensitive to the needs and wishes of the Marianas people. The distance between the Commonwealth and the mainland of the United States and the limited opportunity for travel among the islands make it difficult to acquire a deep understanding of the Commonwealth's culture and its problems. The Committee believes that a minimum of seven years within the Commonwealth is presently necessary to obtain that understanding. Improved means of travel and communication may allow the reduction of the seven-year period in the future. The Committee therefore recommends that the legislature be authorized to modify the residency and domicile requirements imposed by this provision.

Section 3: Vice Governor. This section establishes the office of vice governor. The vice governor would be elected Commonwealth-wide and would be required to possess the same qualifications as those demanded of the governor. The vice

governor would be charged with performing tasks assigned by law or by the governor. The title of vice governor is selected tentatively because of the division of views within the Committee regarding the availability of the term lieutenant governor.

The Committee is persuaded that it is important to have an official available to become governor in the event of a vacancy in the office and to act as chief executive of the Commonwealth if the governor is absent or disabled. Requiring the vice governor to meet the standards of eligibility imposed on the governor and to be involved in the affairs of the Commonwealth to the extent permitted by the legislature or governor would prepare the vice governor for the chief executive's role. The Committee rejected a provision that would have assigned to the (vice governor) the duty of presiding over the senate. The Committee believes that such a role would compel the (vice governor) to perform conflicting duties in the executive and legislative branches of government.

The Committee also recommends that the governor be empowered to fill a vacancy in the office of vice governor with the advice and consent of the senate. This Committee believes that the succession of an official other than the vice governor to the governorship would disrupt the smooth operation of the affairs of the Commonwealth. Accordingly, the Committee's recommendation is designed to ensure insofar

as is practicable the presence of a vice governor in the Commonwealth administration.

Section 4: Election of the Governor and the Vice Governor. This section provides that nominees of a political party for governor and vice governor will seek office on the same ticket. The voters will choose these two officials jointly, with a vote for a gubernatorial candidate automatically being cast for the candidate's running mate. Procedures for electing the governor and vice governor will be governed by Article VIII of the Constitution, as will the date on which persons elected to these posts take office.

The joint selection of the governor and vice governor will avoid the situation where officials holding these positions are from different political parties. In the Committee's view, this shared political affiliation would afford a logical successor to the governor should he either leave office before the expiration of his term or require a temporary replacement because of absence or disability. In addition, the Committee believes that a shared platform and campaign may reflect a compatibility of political beliefs which would help the two officials to work together easily.

The Committee recommends a four-year term for the governor and vice governor. The Committee believes that a term of this length would enhance the governor's independence

in dealing with Commonwealth officials and political figures. Such a tenure would also enable the governor to fashion and execute a program for the Commonwealth, thereby benefiting the Northern Marianas people and providing them with a basis upon which to judge the administration's performance. The Committee is convinced that a four-year term would not isolate the governor from the views and needs of the people.

The constitutional language proposed by the Committee will prohibit any person from being elected to the governorship more than three times. The Committee is persuaded that this limitation is desirable to prevent the establishment of oppressive political machines and to permit new political leaders to develop. It rejects the notion that a third-term governor's "lame duck" status would substantially decrease his effectiveness.

Section 5: Compensation of the Governor and Vice Governor. Section 5 reflects the Committee's view that the governor should receive a salary commensurate with his high office and sufficient to free him from dependence on outside sources of income. This section provides that the governor will be compensated initially at the rate of twenty-five thousand dollars per year, with such reasonable allowances for expenses as may be provided by law. The section also specifies that the compensation of the vice governor and his expenses shall be provided by law. Under article II of the Constitution, the legislature must establish an advisory commission