

CONSTITUTIONAL CONVENTION.
of the
NORTHERN MARIANA ISLANDS

VERBATIM JOURNAL (TRANSCRIPT)

Twenty-Ninth Day
Monday, November 15, 1976

(1) The Constitutional Convention of the Northern Mariana Islands was called to order at 2:06 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 37 Delegates present. Delegate Manuel P. Tenorio and Juan DLG. Demapan were excused. No Delegates were absent. A quorum was present.

Floor Leader Rasa: I move that those Delegates not in attendance be excused.

The motion was seconded and carried.

(4) ADOPTION OF THE JOURNAL

Floor Leader Rasa: I move for adoption of the Summary Journals of the 27th and 28th Days.

The motion was seconded and carried.

(5) COMMUNICATIONS - None

(6) COMMITTEE REPORTS - None

(7) INTRODUCTION AND FIRST READING OF COMMITTEE RECOMMENDATIONS - None

(8) SECOND AND FINAL READING OF PROPOSALS - None

(9) INTRODUCTION OF RESOLUTIONS - None

(10) UNFINISHED BUSINESS - None

(11) SPECIAL ORDERS OF THE DAY

President Guerrero: I would like to ask the Convention Secretary to place all pending Resolutions under Special Orders of the Day for the next day's session.

(12) GENERAL ORDERS OF THE DAY - None

(13) MISCELLANEOUS

Delegate Benigno R. Fitial: Mr. President, all of the Delegates to this Convention can take pride in our decisions of the last few days. I would like to point out a major concern that I have. The geographical minority of our people, through their Delegates, has expressed their concerns thoughtfully and persuasively. The Convention responded by approving the Recommendation of the President's Special Committee. Saipan joined with the outer islands in guaranteeing Rota and Tinian, and hopefully, the Northern Islands, substantial protections under the new Commonwealth government. To make that guarantee, the Saipan Delegation made significant concessions to our colleagues from other islands. I was pleased to support the Special Committee's compromise, because as a member of a minority myself, I understand the concerns of those who fear the excesses of a majority.

It is for my minority -- the 4,000 Carolinians in the Northern Mariana Islands -- that I speak today. For too long, we have been victimized by discrimination -- in jobs, and especially in education, and in access to positions of governmental power. Just as there can be no place for regional prejudices in the new Commonwealth, the brutality of ethnic discrimination must cease. By degrading our Carolinian community, the majority has also deprived the Northern Marianas of the talents of 4,000 of its most productive and creative people. The new Commonwealth will be unable to afford this unthinking waste.

I, therefore, call upon my fellow Delegates to extend the protection of the Constitution to their Carolinian brothers and sisters. In the near future, I will offer several amendments to the constitutional provisions that we have tentatively adopted in principle. These amendments will be designed to assure Carolinians of dignity, equal opportunity, and cultural integrity as we take our place in the new Commonwealth of the Northern Mariana Islands. I urge today, as I shall urge in the remaining days of the Convention, we purge ourselves of the ethnic discrimination that has tainted our political, social, and economic affairs. Thank you.

(Delegate Juan DLG. Demapan entered the Convention Hall.)

Delegate Pedro Ogo: I would like to comment on the Sections on Personal Rights in the preliminary draft of the Constitution. It seems to be worded in a rather negative manner. Could we change this so that the wording would be more positive? There seems to be a lot of "nos" in the Bill of Rights.

Consultant Deanne Seimer: I understand that concern, Delegate Ogo. The reason most of those are phrased as "no," is because they are limitations as to what the government can do with respect to individual personal liberties. So they are saying "no" to the government; the government cannot do that. Other than what is provided in the Bill of Rights, the government can do anything. That is why it does not have to be phrased positively. There may be some room in the drafting when we go back over and make changes simply for style without changing the meaning. We may be able to accommodate that.

President Guerrero: I have some miscellaneous business to announce and I will read as follows:

The consultants have prepared a preliminary draft of the Schedule on Transitional Matters, which is needed to ensure the orderly transition from the Trust Territory Government to that of the new Commonwealth of the Northern Mariana Islands. The Schedule will be attached to our Constitution and will be approved by the voters at the time the Constitution is ratified. It has the same force as a statute passed by the legislature.

The draft schedule has nine sections. Sections one through seven, which I assign now to the Committee on Finance, Local Government and Other Matters, pertain to the continuity of our current laws, government employment and operations, and judicial and legislative matters; citizenship; and elections. Sections eight and nine, which I assign now to the Committee on Governmental Institutions, deal with election districts and commencement of terms of office of Commonwealth officials.

I urge the Committees to meet and consider these transitional matters as promptly as possible and to report back to the Convention.

Delegate Jose R. Cruz: Mr. President, I just want to ask, now that we have a draft constitution, can we give copies to our constituents to be used during the public hearings? Do we have a sufficient number of copies?

President Guerrero: As discussed yesterday, copies will be available for Tinian and Rota. There will be 100 copies available for Tinian and 100 copies available for Rota. The remaining 300 to 400 copies will be for Saipan. However, copies will be monitored through my office to help eliminate unnecessary cost.

Delegate Jose R. Cruz: Who has the responsibility of bringing these 100 copies to Tinian?

President Guerrero: I have delegated that responsibility to the Secretary of the Convention to make those available as soon as they are ready .

Delegate Jose R. Cruz: Mr. President, if there is no substantive committee chairman assigned to attend the Tinian public hearing, can Delegate Olympio T. Borja be designated to chair the hearing?

President Guerrero: We have delegated all the responsibilities to the Vice Presidents for each municipality. I have delegated that responsibility to the Second Vice President from Tinian, Delegate Vicente Manglona.

Chairman Felipe Atalig: I question the necessity of passing out copies of the draft constitution. The reason I state this is I am sure there will be some changes made, therefore, to eliminate this expense, it would be wiser not to pass all those copies out.

President Guerrero: The consensus of the Convention is that the copies are necessary for the public to review in order to take part in the public hearings. I think the purpose of the public hearings, is not only to disseminate what we have accomplished in this Convention and to present a product of our accomplishment, but, also, to entertain the views of the people.

Floor Leader Rasa: I received several requests from students at the University of Guam, Guam high school students and other citizens of the Northern Mariana Islands who will be eligible to vote in Commonwealth elections, but who reside in Guam, for a public hearing on Guam. I think there is a need to send some Delegates to Guam for a public hearing. Those who are interested should get together after this session to discuss how this trip will be financed. These people in Guam are very interested and financial problems of the Convention should not be a deterrent.

President Guerrero: We will take note of the possibility of public hearings on Guam and possibly we can send six people to accommodate this request of the concerned people in Guam. It is very important for them to know what is going on. We will check into the financial arrangements.

Delegate Jose R. Cruz: I want to register some concern that the Office of Transitional Studies is being so stingy about the cost of the Constitutional Convention. We are talking about \$1.5 million for the Constitutional Government, and I strongly resent this kind of attitude. All the hopes of the Office of Transition are worthless without this Constitution.

President Guerrero: Point of order. I want to remind the members of the Convention that they formed a Pre-Convention Committee, and the Pre-Convention Committee should look at all these problems that we have today.

Delegate Jose R. Cruz: Many recommendations made by the Pre-Convention Committee were not carried out by the Office of Transition Studies and Planning. That is why I am saying this.

(14) ANNOUNCEMENTS

Chairman Jose P. Mafnas: The Committee on Governmental Institutions will have a brief meeting immediately following this session.

Chairman Felipe Atalig: At this time, I would like the house to recognize the presence of the newly elected Senator from the Territorial Party, the Honorable Norman Tenorio.

Chairman Benigno Fitial: I would like to ask all the members of the Committee on Finance, Local Government and Other Matters to meet with Consultant Howard Mantel immediately following this session to discuss very briefly what we are going to do on the transitional matters.

Delegate Hilario Diaz: Since our Committee on Personal Rights and Natural Resources is not having a meeting today, may we attend the meetings of the other two Committees?

President Guerrero: All Delegates have the privilege of attending any substantive committee meeting.

Floor Leader Rasa: I move for the Convention to recess until 9:00 a.m. tomorrow.

The motion was seconded and carried.

The Convention recessed at 2:32 p.m.

Respectfully submitted,



Pedro M. Atalig
Convention Secretary