

Com - Com -
Reports + other
Matters

November 2, 1977

The Honorable Lorenao I. Guerrero
President
Marianas Constitutional Convention
Garapan
Saipan, Mariana Islands 96950

Dear Mr. President:

For the reference of the former members of the Constitutional Convention, I am submitting to you and to each of the members a copy of the official Proclamation on the Constitution of the Northern Mariana Islands signed by President Carter on October 24, 1977. The original copy of the Proclamation will be filed with the Archives of the United States. A copy of the Proclamation appeared in the Federal Register on October 27, 1977.

As a citizen of the Northern Mariana Islands, I wish to extend to you my congratulations and appreciation for the outstanding work that you and your colleagues have achieved in the drafting and formulation of our Constitution. You will note in the Proclamation that the President of the United States expressed his satisfaction that our Constitution complies with the provisions of the Covenant as well as the Constitution and laws of the United States. I believe that the Marianas' Constitution is an outstanding legal document and you and your colleagues in the Convention should take pride that this Constitution provides not only for the machinery for self-government in the Northern Mariana Islands, but also for the protection of individual rights, the protection of our natural resources and has the flexibility to adapt to changes in the future.

With kindest personal regards,

Sincerely yours,

Edward DLG. Pangelinan

e: all members

CONSTITUTIONAL CONVENTION
of the
NORTHERN MARIANA ISLANDS

Resolution No. 16

A RESOLUTION

Adopting the "Analysis of the Constitution of the Commonwealth of the Northern Mariana Islands."

WHEREAS, the legal consultants to the Convention have prepared an "Analysis of the Constitution of the Commonwealth of the Northern Mariana Islands"; and

WHEREAS, the Convention has considered the Analysis; and

WHEREAS, the Analysis describes the provisions of the Constitution and discusses the intention of the Constitution in adopting those provisions, but does not itself have the force of law;

THEREFORE, BE IT RESOLVED, that the Constitution adopt the "Analysis of the Constitution of the Commonwealth of the Northern Mariana Islands" and direct that it be available to the Northern Marianas people along with the Constitution for their consideration in determining whether to approve the Constitution of the Commonwealth of the Northern Mariana Islands; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be attached to and printed with the "Analysis of the Constitution of the Commonwealth of the Northern Mariana Islands."

ADOPTED: December 6, 1976


Lorenzo I. Guerrero
Convention President

ATTEST:


Pedro M. Atalig
Convention Secretary

November 8, 1976

REPORT TO THE CONVENTION
BY THE COMMITTEE ON PERSONAL
RIGHTS AND NATURAL RESOURCES

Subject: Committee Recommendation No. 7:
Natural Resources

The Committee on Personal Rights and Natural Resources recommends that the Convention adopt in principle the attached constitutional provision with respect to natural resources.

The Committee's recommended constitutional provision contains three sections. The first section provides that the fish and other marine resources located in the waters off any Commonwealth coast belong to the Commonwealth to the maximum distance from the coast permitted by international law or United States law. These natural resources are to be controlled, protected and preserved for the benefit of the people and no interest in these resources may be transferred except as provided by the legislature. The second section requires the preservation of certain islands as uninhabited places for recreational purposes and for use as bird and wildlife sanctuaries. The third section provides for the preservation of sites of historical, cultural and traditional significance to the people of the Northern Mariana Islands.

The Committee has the following reasons for its recommendations:

Section 1: Marine Resources. This section lays claim to the marine resources, including fisheries, present in the water off any Commonwealth coast to the maximum distance from the coast that is permitted by international law and United States law. The provision does not specify any mile limit on the Commonwealth's jurisdiction because the extent of the jurisdiction of the Commonwealth is unclear at the present time and may be made specific and extended in the future. If the Constitution claimed more than was permitted under current United States law, the provision would be unconstitutional under the United States Constitution. If the Constitution claimed less than is made available in the future, a constitutional amendment might be necessary. The flexible language recommended by the Committee permits the Commonwealth to claim and exercise jurisdiction to the maximum extent permitted as circumstances change in the future.

The Committee's recommended provision requires the legislature to control, protect and preserve these resources. This requirement is included because of the importance that these resources may have for the economy of the Commonwealth in the future. The provision also prohibits the transfer of any interest in marine resources within the jurisdiction of the Commonwealth except as

provided by law. This requires that there be no leases or sales of fisheries or other marine resources except in accordance with a statute passed by the legislature. The Committee believes this control is important because of the possibility that, without control, these resources may be exhausted.

Section 2: Uninhabited Islands. This section requires that the island of Managaha be maintained in an uninhabited condition and that it be used for recreational purposes. It is the Committee's intention that no permanent structures such as houses, hotels or other facilities be constructed on the island in order that the island can be preserved in its present condition and used by the people of the Commonwealth for recreational purposes.

This section also requires that the island of Sarigan be maintained in an uninhabited condition and that it be used as a sanctuary for bird and wildlife species indigenous to the Commonwealth. This use could include ecological and other scientific studies. This section does not preclude stationing caretakers or scientific personnel on these islands or construction of buildings for those purposes.

The Committee is concerned with the rapid rate at which native wildlife is being depleted in the Northern Mariana Islands. The Committee recognizes the need to

preserve certain areas as natural habitats where fish, coconut crabs, fruit bats and other native species can be maintained and preserved. The Committee considered the advantages and disadvantages of each island available for this purpose. The Committee believes that Sarigan is best suited for this purpose by reason of its location, present use, economic value and possible future development. However, the Committee recognizes that a feasibility study or further consideration may lead to the conclusion that another island is equally or better suited for these purposes. For this reason the Committee's proposed draft language permits the legislature to substitute another island for Sarigan as the bird and wildlife sanctuary if the legislature finds that the other island is equally or better suited for this purpose. If the legislature does not act, then Sarigan will continue to be used for this purpose.

The Committee believes that at least one island should be preserved for this purpose and believes that this provision should be included in the Constitution to ensure an adequate safeguard. The Committee finds that legislative efforts in the past have been inadequate.

Section 3: Cultural and Historical Sites. The Northern Mariana Islands have many places of historical, cultural and traditional significance to the people of the Northern Mariana Islands. These sites are on public land and, under the Committee's recommended article

on Public Lands, will be subject to the control of the Public Land Corporation for at least ten years after the effective date of the Constitution. Thereafter the control of public lands may pass to the executive branch. The Committee believes that this section should be included in order to provide the basic guidelines on preservation of these sites regardless of the authority that manages them. This section directs the legislature to protect and preserve these sites and to maintain public access to them. It leaves to the legislature the determination of the best means of so doing.

The Committee is also concerned with artifacts and other things of cultural or historical significance such as the latte stones, cannons and other objects that might be dismantled and moved outside the Commonwealth. These objects are an important part of the heritage of the people of the Commonwealth and should be preserved. The Committee's recommended provision requires that these objects be protected and preserved in a manner to be defined by the legislature. It also contains a prohibition on the export of such objects.

Delegate Proposals. The Committee considered delegate proposals numbered 21, 89, 99, 115, 116, 117 and 146 that pertain to the article on natural resources.

With respect to proposal number 21, the Committee decided to refer the proposal to the Committee on Governmental Institutions because the proposal deals basically with how the votes of people who move to Agiguan island in the future should be counted. The uses of the public lands on Agiguan island are already covered by this Committee's recommended provision on public lands.

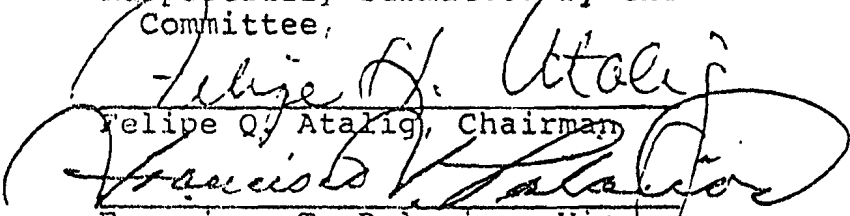
Proposal number 89 is covered by section 1 of this recommendation.

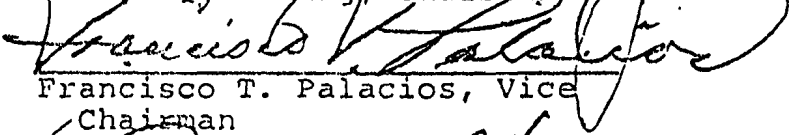
The Committee believes that proposal number 99 is a statutory and not a constitutional matter.

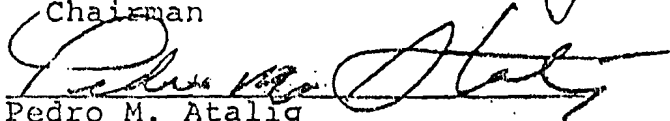
Proposals numbered 115, 116 and 117 are covered by sections 2 and 3 of this recommendation.

The Committee opposes proposal number 146 because it does not believe the Constitution should name specific boards and commissions. The legislature has full authority to create boards and commissions as it deems them necessary or appropriate.

Respectfully submitted by the
Committee,


Felipe Q. Atalig, Chairman


Francisco T. Palacios, Vice
Chairman


Pedro M. Atalig

Felix A. Ayju
Felix A. Ayju
Jose S. Borja
Jose S. Borja

Daniel P. Castro

Juan S. Demapan
Juan S. Demapan

Hilario F. Diaz
Hilario F. Diaz

Henry H. Hofschneider
Henry H. Hofschneider

Luis M. Limes

Leon I. Taisacan PSC
Leon I. Taisacan

Manuel A. Benorio
Manuel A. Benorio

Ramon G. Villagomez
Ramon G. Villagomez

ARTICLE _____
NATURAL RESOURCES

COMMITTEE
RECOMMENDATION
NO. 7

Section 1: Marine Resources. All of the marine resources found in waters off the coast of any part of the Commonwealth over which the Commonwealth now or hereafter may have any jurisdiction pursuant to international law or United States law shall be controlled, protected and preserved by the legislature for the benefit of the people of the Commonwealth. The transfer of any interest in the marine resources of the Commonwealth shall be on terms and conditions provided by law.

Section 2: Uninhabited Islands. The island of Managaha shall be maintained as an uninhabited place and shall be used only for recreational purposes. The island of Sarigan and such other islands as may be provided by law shall be maintained as uninhabited places and shall be used only for the preservation of bird and wildlife species provided, however, that the legislature may substitute in place of Sarigan another island equally or better suited for that purpose.

Section 3: Places and Things of Cultural and Historical Significance. Places of importance to the culture and traditions of the people of the Northern Mariana Islands and places where significant historical events occurred within the Northern Mariana Islands shall be protected and preserved and public access thereto shall be maintained as provided by law. Artifacts and other things of cultural or

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historical significance shall be protected and preserved as provided by law and shall not be removed from the jurisdiction of the Commonwealth.

ARTICLE _____
COMMONWEALTH DEBT

Section 1. Public Debt Limitation. No public indebtedness other than bonds or other obligations of the government payable solely from the revenues derived from any public improvement or undertaking shall be authorized in excess of ten percentum of the aggregate assessed valuation of the property within the Northern Mariana Islands or for any operating expenses of the Commonwealth government or its political subdivisions.

Section 2. Public Debt Authorization. No public debt shall be authorized or incurred unless approved by two-thirds (2/3) of the members in each house of the legislature.

November 8, 1976

REPORT TO THE CONVENTION OF THE
COMMITTEE ON FINANCE, LOCAL GOVERNMENT,
AND OTHER MATTERS

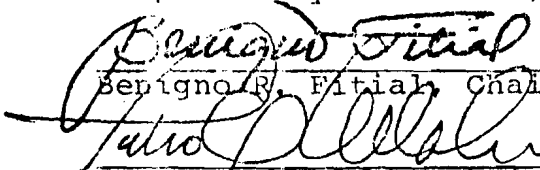
Subject: Committee Recommendation Number 7:
Oath of Office

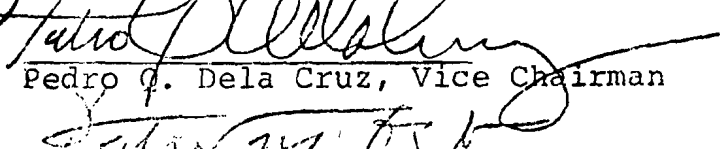
The Committee on Finance, Local Government and Other Matters recommends that the Convention adopt in principle the attached constitutional provision with respect to the oath of office for officials of the government of the Commonwealth of the Northern Mariana Islands.

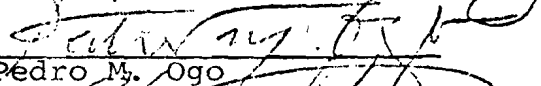
Section 204 of the Covenant requires that all members of the Legislature and all officers and employees of the government will take an oath or affirmation to support the Covenant, the Commonwealth Constitution and the applicable provisions of the United States Constitution and treaties. A solemn commitment to public service is the basis of entrusting powers and duties to officers and employees of the government. To reflect this commitment and to conform with Covenant guidelines, the Committee proposes a constitutional oath of office. The inclusion in the Constitution of the precise wording of the oath assures uniformity.

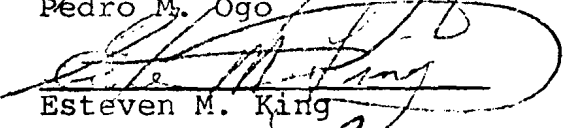
The oath includes an affirmation of support for the Commonwealth Constitution and laws, the Covenant, the United States Constitution, and those treaties and laws of the United States that are applicable to the Northern Mariana Islands.


Respectfully submitted,


Benigno R. Fitial, Chairman

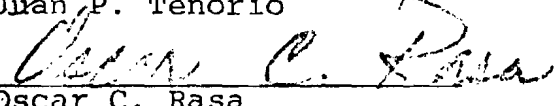

Pedro Q. Dela Cruz, Vice Chairman

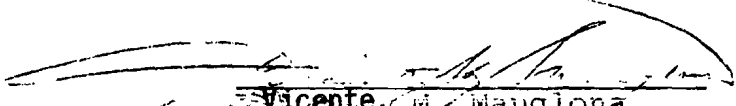

Pedro M. Ogo

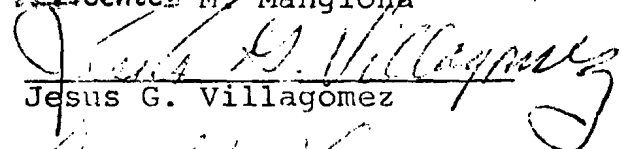

Esteven M. King

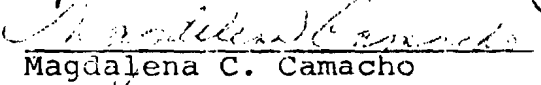

Luis A. Benavente


Juan P. Tenorio


Oscar C. Rasa


Vicente M. Mangiona


Jesus G. Villagomez


Magdalena C. Camacho

Juan DLG. Demapan

Carlos S. Camacho

ARTICLE ____
OATH OF OFFICE

Section 1: Oath of Office. All members of the legislature and officers and employees of the Commonwealth government and its political subdivisions taking office shall take and subscribe to the following oath or affirmation:

I do solemnly swear (or affirm) that I will support and defend the Constitution and laws of the Commonwealth of the Northern Mariana Islands, the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, the Constitution of the United States of America, and the treaties and laws of the United States applicable to the Northern Mariana Islands, and that I will faithfully discharge my duties to the best of my ability (so help me God).

November 8, 1976

REPORT TO THE CONVENTION BY THE
COMMITTEE ON FINANCE, LOCAL GOVERNMENT AND
OTHER MATTERS

SUBJECT: Committee Recommendation Number Eight:
Local Government

The Committee on Finance, Local Government and Other Matters recommends that the Convention meeting in Committee of the Whole adopt in principle the attached recommendation with respect to local government.

The Committee's approach to local government is an effort to accommodate the desires and needs of individual islands while recognizing the limited population and resources of the new Commonwealth. In the process of its deliberations on this complex subject the Committee met with representatives of the current municipal governments and met jointly with the Committee on Governmental Institutions on two occasions. Many alternative approaches were scrutinized and evaluated from the viewpoint of responsiveness to local needs, efficiency in delivery of services, and economy. The Committee's recommendations include a proposed article on local government in five sections that provides for the office of mayor in Rota, Saipan, Tinian and the islands north of Saipan, specifies his duties, provides for his compensation, creates a Governor's Council of Mayors, terminates the present form of municipal government, and authorizes the legislature to create new agencies of local

government if needed five years after the effective date of the Constitution. As part of the proposals on local government the Committee submits also two sections for inclusion in other constitutional articles, one providing for the enactment of local laws by the representatives and senators from a particular island and the other designed to ensure that Commonwealth services are provided on a responsive and equitable basis to all citizens throughout the Commonwealth.

Section 1: Election of Mayor. This section creates one of the two new institutions which the Convention believes are required to meet the local government needs of the separate islands in the Commonwealth. It provides for a mayor in Rota, Saipan, Tinian and the islands north of Saipan to be elected by the voters in each jurisdiction. Because the official is responsible to the people who elected him rather than to the governor and is not an official of the executive branch of the Commonwealth government, the Committee concluded that the title of lieutenant governor would be inappropriate. The Committee was concerned also about the possible adverse reaction to the authorization of three or four lieutenant governors in the Constitution in light of the small geographical areas and limited population involved. Although the Committee is aware that mayors in the Northern Marianas have heretofore had limited powers (and

prestige), it believes that the title still remains the most appropriate for the newly created position being proposed by the Committee.

Subsection (a) provides for the qualifications of the mayor. The mayor must be a qualified voter of the Commonwealth, a United States citizen or national, at least twenty-five years of age and a resident of the Commonwealth for at least three years. The legislature would be free to specify additional qualifications, such as a period of residency on the particular island involved. The age requirement is the same as for senators in the legislature and the residency is the same as that proposed for representatives. The Committee believes that these qualifications are sufficiently stringent for the office of mayor.

Subsection (b) provides that the mayor has a term of office of four years, the same term as tentatively provided for senators in the legislature. It also provides for filling vacancies by special election if more than half the term remains, on the rationale that the people should have the opportunity to fill the office under such circumstances. If less than one half of the term remains, the legislature would provide a method for filling it, either by appointment or by election. This subsection makes clear that the mayor is subject to recall by the voters. The mayor cannot be removed by the governor, however, since granting the governor such a power would tend

to impair the mayor's effectiveness as an independent spokesman for the island he represents and thereby defeat the purpose of creating such an office.

Section 2: Responsibilities of Mayor. This section spells out the responsibilities of the mayor.

Subsection (a) provides that the mayor shall serve on the governor's council of mayors created by section 4 of the article. As discussed below, it is the Committee's view that this council can be an important mechanism for assuring that the views and separate interests of the individual islands are presented effectively at the highest level of the executive branch of the Commonwealth government.

Subsection (b) requires the mayor to review the adequacy of the governmental services and appropriations provided for the island or islands he serves and to submit any findings or recommendations on these subjects to the governor. This provision is designed to meet the concerns expressed by representatives of Rota and Tinian in particular regarding past inadequate services for their islands. This subsection gives the mayor an important oversight responsibility for Commonwealth services on his island. Although the mayor would not have day to day supervisory responsibilities for Commonwealth services being provided through departments within the Commonwealth executive branch, he would have the authority to ascertain whether in fact such services are

being provided at the authorized level, are being administered according to law, and are meeting the needs of the island's residents. If not, this subsection makes clear that the mayor would have the capacity to voice his dissatisfaction directly and forcefully. In the Committee's view, the very assignment of the power to the mayor will help ensure that department officials will make every possible effort to improve the quality of services and thereby avoid criticism of their programs or personnel by the mayor.

Subsection (c) grants the mayor broad investigatory powers to identify problems of local concern and to make recommendations to the governor or other executive branch officials. In essence, the mayor would serve as an ombudsman for his community, investigating complaints, ferreting out wrongdoing, and proposing new legislative measures or executive actions to remedy any deficiencies. If used aggressively, this power could serve as a powerful stimulant for lethargic representatives in the legislature or in the executive branch.

Subsection (d) guarantees the mayor an important role in the budgetary process. It gives the mayor the right to propose a budget for his island, to review the Commonwealth budget before its submission to the legislature, and to recommend changes in the budget relating to his island. Any proposal made by the mayor relating to the budget must be considered by the responsible Commonwealth official and

rejected only for good cause. In the Committee's view, this last requirement ensures that the mayor's recommendations will not be lightly treated. The Committee recognizes, of course, that the Commonwealth has limited resources to meet the needs of its citizens and that compromises must be made in the development of an overall Commonwealth budget.

Nevertheless, the Committee concluded that some mechanism was needed to make certain that the mayor of each island would have an adequate opportunity to press his budgetary recommendations within the executive branch and that such recommendations would be given a fair hearing before the budget was presented to the legislature. The most important protection for Rota and Tinian with respect to the budget, of course, is the requirement that any budget be approved by both houses of the legislature. If the executive branch does not fairly consider the budgetary needs of these islands, it will endanger approval of the budget by the legislature.

Subsection (e) gives the mayor rule-making authority on local matters as defined by law. As discussed below, the Committee concluded that local municipal councils of the kind currently in effect should be abolished. Since such councils do enact rules or ordinances on local matters, the Committee believed it would be desirable to provide for some substitute mechanism for meeting this traditional local need. Granting

such power to the mayor within constraints to be defined by the legislature seemed like an efficient and practical way to provide for local rules on such matters as curfews, hunting seasons and other subjects of exclusively local concern. The Committee believes that it would be difficult to define the scope of this rule-making authority more precisely in the Constitution and for that reason recommends that it be left to the legislature.

Subsection (f) gives the mayor responsibility for expending money for public purposes in his locality pursuant to direction by the legislature or two-thirds of the representatives and senators from the island or islands involved. The Committee's recommendation requires the legislature to designate certain local taxes as available for such purposes before they can be expended. Some flexibility appears desirable because of the need to evaluate the overall tax burden on the Commonwealth's citizens once the territorial income tax provided for in the Covenant comes into effect. Although it is probable that some local taxes (such as license fees or fuel taxes) will be continued, the Committee did not wish to prejudge this issue by providing in the Constitution that such taxes should be continued. The use of the senators and the representatives in the way proposed by subsection (f) reflects the Committee's decision to abolish municipal councils and to provide a substitute mechanism for making appropriations decisions on purely local matters.

Subsection (g) empowers the mayor to appoint and supervise such employees as are provided by law to assist him. The Committee is concerned about the misuse of this authority, since the employment of numerous assistants by the mayors would defeat the economies hoped for as a result of the abolition of the present municipal governments. It also entails the risk of a duplicative bureaucracy which may impair the effective delivery of Commonwealth services within each island. Nevertheless, the Committee recognizes that the mayors may need assistance in the performance of their duties and has concluded that the legislature should be entrusted with the responsibility of ensuring that this authority is used wisely and economically.

Subsection (h) provides that the mayor shall perform such other responsibilities as are specified by law. The Committee wants to provide this flexibility because of the possibility that the mayors may be able to perform other functions in the future. As the Commonwealth develops and new needs arise, the legislature should have the authority to assign other duties consistent with the mayors' role as popularly elected leaders in their communities. If this flexibility is available, it may reduce some of the pressure to create still other agencies of local government in the future.

Section 3: Compensation of Mayor. This section provides that the mayor shall be given an annual salary and reasonable expenses from Commonwealth revenues as provided by law. The Committee concluded that Commonwealth revenues could properly be used to compensate the mayors even though they are not officials of the Commonwealth government, because they are being vested with significant responsibilities under this article. The mayor's salary cannot be decreased during his term of office, in order to eliminate any effort by the legislature to penalize a mayor for aggressive performance of his responsibilities on behalf of his constituents. As to the compensation and expenses of the mayor's assistants, the Committee concluded that these revenues should be raised through local taxes. The Committee believes that this power will be used more economically if the employment of assistants for the mayor must be accomplished through the use of locally raised revenues.

Section 4: Governor's Council of Mayors. This section establishes the second new governmental institution to meet some of the needs of the separate islands comprising the Commonwealth. It provides that the mayors elected pursuant to section one and the governor shall constitute a council of mayors to advise the governor on local matters. The governor shall preside over the council, which shall meet at least four times each year to consider any matter relating to the relationship between the Commonwealth

and its separate islands that the members place on the council's agenda. It is the Committee's view that such a council can develop into an effective device for ensuring that the governor is aware of local problems and sentiments. Although the governor has many sources for such input, the elected mayors should be able to use this council to present their views on a systematic and regular basis directly to the governor. The proposed provision is deliberately general as to the subjects which can be discussed in this forum; the council's agenda could include budgetary matters, specific complaints regarding the delivery of services, or a legislative program aimed at meeting the needs of one or more islands within the Commonwealth.

Section 5: Other Agencies of Local Government.

Subsection (a) provides that the current chartered municipalities on Rota, Saipan and Tinian shall be abolished on the effective date of this Constitution. This reflects the Committee's basic judgment that preserving the present form of local government in the new Commonwealth is unnecessary, expensive and duplicative. The Committee examined the current local government entities and concluded that services in the new Commonwealth could be provided more efficiently and equitably through a central delivery system rather than through local governments. The Committee also concluded that the agencies of local government created

in the article are sufficient for the immediate future. If the present municipal councils and mayors were to be continued, the Committee believes that it would make little sense to create the new offices and powers provided for in this article. The subsection provides that the local taxes currently being used to support the existing local government and to finance services provided by them should be continued unless the Commonwealth legislature provides otherwise. It is the Committee's view that if such taxes continue to be collected they should be used for the benefit of the community generating the revenues, either at the direction of the legislature or two-thirds of the legislative delegation from the particular island. The subsection also provides that the local rules or ordinances enacted by the existing municipal councils shall remain in effect until superseded by Commonwealth law.

Subsection (b) authorizes a study of local government in the Commonwealth to examine the need for additional agencies of local government. The Committee's recommended provision specifies that the study shall examine the effectiveness of the institutions created by the Constitution and the factors relevant to the creation of new agencies of local government to represent the separate islands or to deliver specific governmental services. The study must be completed within three years of the date it is commissioned. The

Committee concluded that the agencies created by the Constitution deserved a reasonable period in which to demonstrate their capability to meet the needs of the people and that no new governmental institutions should be imposed on the Commonwealth without a convincing demonstration that such institutions are necessary and worth the cost. The Committee is well aware that the resources available to the Commonwealth are limited and that any new agencies of local government would add to the burdens of Commonwealth taxpayers. Subsection (b) is designed to ensure that the legislature will proceed with appropriate deliberation before taking this step.

Subsection (c) authorizes the creation of new agencies of local government after five years with the approval of two-thirds of the qualified voters in the community involved. After this period and the completion of the study provided in subsection (b), the legislature may enact enabling legislation for the establishment of new local governments within guidelines regarding form, method of incorporation, powers, officers and financing. A limitation on more than one municipality in one island is imposed to avoid proliferation of costly and duplicative governmental units. The proposed constitutional article would require any system of local government to assure integration between the new office of mayor and new local units.

The Committee recognizes that it cannot ignore political realities and differences. Established governmental institutions and practices always are difficult to change. We respect the desire of the people of Rota and Tinian to maintain their identity as communities. We respect the needs and interests of Saipan and its communities. And we respect the special requirements of the inhabitants of the northern islands. We have sought to develop a governmental system which reflects these desires while permitting a united and workable Commonwealth.

New local governments may be needed in the future. It may be that a county government system should be instituted, or new municipalities created that build on the extensive American council-manager systems. The Committee concluded that it would be premature and constraining to specify any particular forms of local government in this provision. Any new arrangement should be instituted under two conditions: (1) there must be an adequate opportunity for the new Commonwealth government to do its job before allowing new institutions to be created; and (2) there must be no local governments imposed on the people without their consent.

Section : Local Laws. This section is proposed by the Committee for inclusion in the article on the

legislative branch. It provides that laws relating exclusively to local matters on Rota, Saipan, Tinian or the islands north of Saipan may be enacted by the legislature or by two-thirds of the representatives and senators from the respective island or islands. This provision is designed to provide two means for enacting local laws and thereby fulfill a need previously met by the municipal councils in the Northern Marianas. Regardless of the manner in which the law is enacted, it is a Commonwealth law enforced by Commonwealth executive and judicial authorities. Both means are provided for expedition and to guard against the remote possibility that the legislative delegates from two of the three major islands might try to prevent the third delegation from passing a local law applicable only to its own community. The Committee believes that this authority in the legislative delegations, plus the rule-making authority of the mayor discussed above, will provide for responsive and efficient law-making on matters traditionally reserved for local government.

Section : Commonwealth Services. This section is proposed by the Committee for inclusion in the article on the executive branch. It provides that public services authorized by law shall be provided on a fair and equitable basis to all the citizens of the Commonwealth, that the legislature may require that such services be provided through

decentralized administrative arrangements, and that the governor shall make any necessary recommendation to the legislature to accomplish these objectives. Although the Committee recognizes that there cannot be exact per capita distribution of Commonwealth revenues, this section is designed to assure equity in the budgetary allocations among islands and community groups. It may be necessary and desirable to allocate funds for special or additional services as a means of achieving comparable standards of health, education and other services. But this does not mandate that each geographical area must or should have the same facility, which would be both duplicative and expensive. Representation and assurance of equity in the allocation of funds and services were the principal concerns of the delegates from Rota and Tinian and the suggested language provides a basis for fairness for all parts of the Commonwealth. It also enables the legislature to require decentralized service delivery mechanisms for the Commonwealth government. In this way the difficulties of communication for the outer islands can be reduced without the necessity of establishing separate autonomous municipalities.

The Committee's proposals on local government should properly be treated as a single package designed to provide a practical compromise among the competing objectives

advanced by delegates to this Convention. The Committee believes that the recommended provisions are a meaningful response to the special concerns advanced by the representatives of Rota and Tinian and are still consistent with the objective of a unified and coherent Commonwealth government.

Respectfully submitted,

ARTICLE VI
LOCAL GOVERNMENT

Section 1: Election of Mayor. The qualified voters of Rota, Saipan, Tinian and the islands north of Saipan shall elect a mayor to perform the responsibilities specified in this article for each island or group of islands.

a) A mayor shall be a qualified voter of the Commonwealth, a United States citizen or national, at least twenty-five (25) years of age, a resident of the Commonwealth for at least three (3) years, and shall meet such other qualifications as may be provided by law.

b) A mayor shall be elected at a regular general election for a term of office of four (4) years. A vacancy in the office of mayor shall be filled by special election if more than one-half (1/2) of the term remains and otherwise as provided by law. A mayor may be subject to recall under the provisions of article IX.

Section 2: Responsibilities of Mayor.

a) The mayor shall serve on the governor's council of mayors provided by section 4 of this article.

b) The mayor shall review the adequacy of the governmental services and the appropriations provided by law

for the island or islands he serves and may submit any findings or recommendations regarding these services or appropriations to the governor.

c) The mayor may investigate complaints and conduct public hearings regarding any matter of local concern and submit any findings or recommendations on such subject to the governor and other appropriate agencies of the Commonwealth.

d) The mayor may propose items for inclusion in the annual budget, review the budget before its submission by the governor to the legislature, and recommend amendments in the budget relating to the island or islands served by the mayor. Any proposal relating to the budget made by the mayor shall be considered by the responsible Commonwealth official and rejected only for good cause.

e) The mayor may promulgate rules and regulations on local matters pursuant to authority provided by law.

f) The mayor may expend for local public purposes such revenues as are raised by local taxes designated by law for such purposes provided, however, that these expenditures shall be specifically authorized by the legislature or by two-thirds (2/3) of the representatives

and senators representing the island or islands served by the mayor.

g) The mayor may appoint and supervise such employees as are provided by law to assist in the performance of his responsibilities.

h) The mayor shall perform such other responsibilities as are specified by law.

Section 3: Compensation of Mayor. The mayor shall receive an annual salary and a reasonable allowance for expenses from Commonwealth revenues as provided by law. The salary of the mayor may not be decreased during his term of office. Salaries and expenses for any assistants to the mayor shall be paid by local taxes designated by law for such purposes provided, however, that these salaries and expenses shall be specifically authorized by the legislature or by two-thirds (2/3) of the representatives and senators representing the island or islands served by the mayor.

Section 4: Governor's Council of Mayors. The mayors elected pursuant to section 1 and the governor shall constitute a council of mayors to advise the governor on local matters. The governor shall preside over the council which shall meet at least four (4) times each year to consider any matter relating to the relationship between the Commonwealth and its separate islands as the members place on the council's agenda.

Section 5: Other Agencies of Local Government.

a) The chartered municipality form of local government shall cease to exist on the effective date of this Constitution. Local taxes paid to the chartered municipal governments on Rota, Saipan and Tinian shall remain in effect until otherwise provided by law and shall be expended if authorized by the legislature or by two-thirds (2/3) of the representatives and senators from the island or islands for local public purposes on the island or islands producing such revenues. Ordinances and other rules enacted by municipal councils on Rota, Saipan and Tinian that are consistent with this Constitution shall remain in effect until superseded by Commonwealth law.

b) The legislature shall authorize a study of local government in the Commonwealth. The study shall evaluate the effectiveness of the institutions created by this Constitution in representing the interests of the separate islands and in achieving fair and equitable delivery of services to all the citizens of the Commonwealth and shall review the desirability, costs, benefits, structure and method of financing agencies of local government within the Commonwealth. The findings and recommendations of the study shall be published not later than three years from the date it is commissioned.

c) No additional agency of local government shall be established until completion of the study provided in subsection (b) and for at least five (5) years from the effective date of the Constitution. The legislature may then establish agencies of local government in place of or in addition to the agencies provided for in this article with such powers, elected officers and financing as may be provided by law. Not more than one local government shall be established for Rota, Saipan or Tinian or for the islands north of Saipan. No new agencies of local government shall be established without the approval of two-thirds (2/3) of the qualified voters residing on the island or islands to be served by the agency of local government.

ARTICLE II

THE LEGISLATIVE BRANCH

Section : Local Laws. Laws that relate exclusively to local matters on Rota, Saipan, Tinian or the islands north of Saipan may be enacted by the legislature or by two-thirds (2/3) of the representatives and senators from the respective island or islands.

ARTICLE III

THE EXECUTIVE BRANCH

Section : Commonwealth Services. Public

services authorized by law shall be provided on a fair and equitable basis to all the citizens of the Commonwealth. The legislature may require that such services be provided through decentralized administrative arrangements. The governor shall make any necessary recommendations to the legislature in order to accomplish these objectives.

November 12, 1976

REPORT TO THE CONVENTION BY THE
COMMITTEE ON FINANCE, LOCAL GOVERNMENT AND
OTHER MATTERS

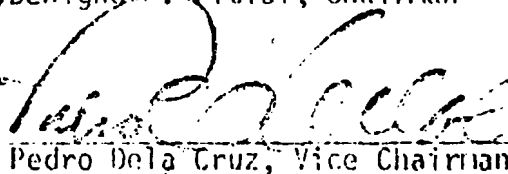
Subject: Committee Recommendation Number 9:
Preamble

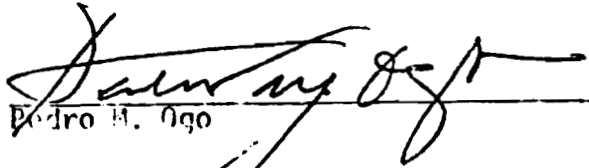
The Committee on Finance, Local Government and Other Matters recommends that the Convention adopt in principle the attached Preamble to the Constitution of the Commonwealth of the Northern Mariana Islands.

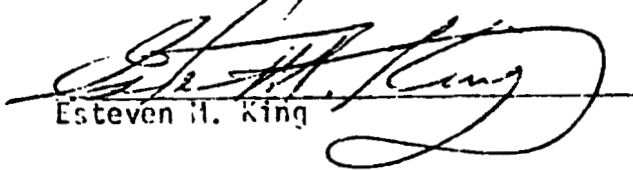
The Committee believes that the Preamble should set the tone of the Constitution by being a dignified expression of the general commitment and ideals of the people of the Northern Mariana Islands. To reflect these values, the Preamble recommended by the Committee contains wording that proclaims the establishment of the Constitution, the commitment to political union with the United States of America, and the desire for a government that respects individual liberty, social equality, the Chamorro and Carolinian heritage, the preciousness of the land and resources of the Northern Mariana Islands, and the culture, history, and traditions of the people of the new Commonwealth.

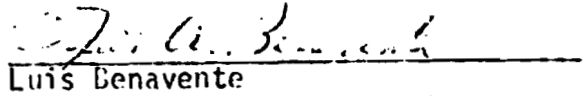
Respectfully submitted,

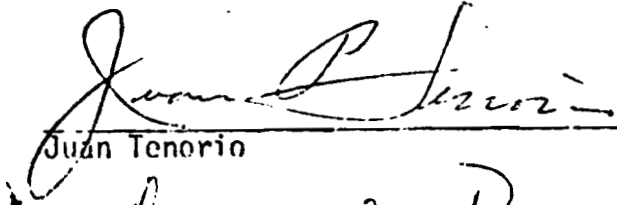

Benigno P. Fitial, Chairman

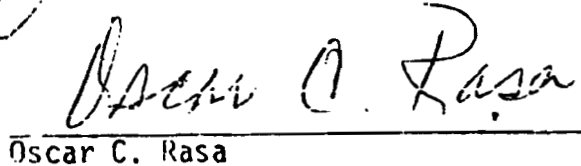

Pedro Dela Cruz, Vice Chairman

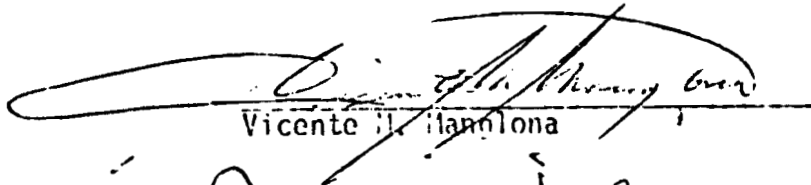

Pedro M. Ngo

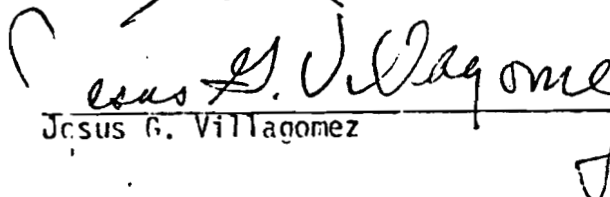

Esteven H. King

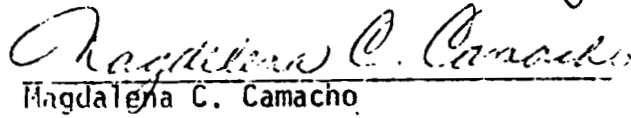

Luis Benavente

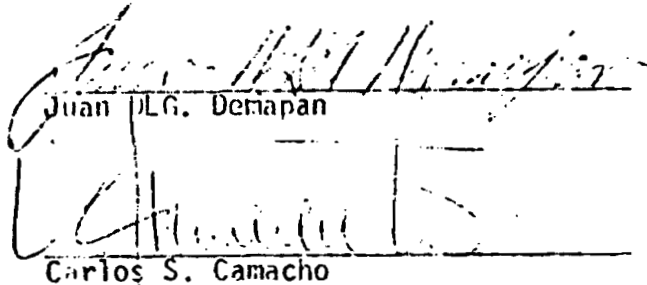

Juan Tenorio


Oscar C. Rasa


Vicente H. Manlona


Jesus G. Villagomez


Magdalena C. Camacho


Juan D.G. Demapan


Carlos S. Camacho

PREAMBLE

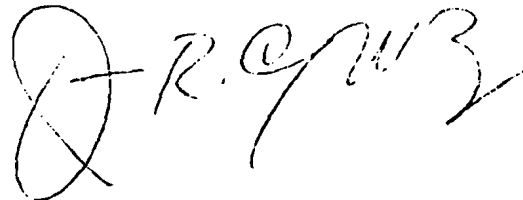
We, the people of the Northern Mariana Islands, ordain and establish this Constitution for our Commonwealth and reaffirm our adherence to the Constitution of the United States of America. We declare our goal of establishing a government in political union with the United States that respects and preserves our personal liberty and social equality, our Chamorro and Carolinian heritage, our land and its resources, and our culture, history and traditions.

A PROPOSAL

Proposal regarding the Executive Branch of Government:

It is proposed that a draft constitutional provision be prepared which does the following:

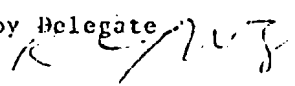
- 1) Vests the executive power of the Commonwealth in a governor whose office shall be located in Saipan;
- 2) Provides for two lieutenant governors, one a resident of Rota to be elected by the registered voters of Rota and the other a resident of Tinian to be elected by the registered votes of Tinian; and
- 3) Authorizes the governor to designate in writing which lieutenant governor shall succeed to the office of governor if a vacancy in that office occurs or shall temporarily perform the duties of the governor if he is absent from the Commonwealth or otherwise unable to perform his duties for more than five (5) days.



PROPOSAL REGARDING TAXATION AND FINANCE

It is proposed that a draft constitutional provision be prepared which does the following:

Requires the Commonwealth to rebate to the government of each municipality 30 per centum of all revenues received by the Commonwealth from that municipality.

Offered by Delegate 

JOSE R. CRUZ, TINIAN

PROPOSAL REGARDING THE
JUDICIAL BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared which does the following:

- 1) Provides for the creation of a court with jurisdiction over disputes involving land;
- 2) Creates at least one judgeship to staff the court;
- 3) Permits the appointment of an attorney who is not a resident of the Northern Marianas to serve as judge of the court; and
- 4) Authorizes the judge to sit temporarily on courts which decide cases not involving land.

Offered by Delegate


PEDRO TORTOL, SAIPAN

PROPOSAL REGARDING THE PROTECTION OF
THE CULTURE OF THE NORTHERN MARIANA
ISLANDS

It is proposed that a draft constitutional provision be prepared which does the following:

1) Defines the "culture of the Northern Mariana Islands" as those practices, beliefs, arts, and family traditions which form the core of the history and contemporary attitudes of the Northern Marianas people; and

2) Provides in the preamble to, or elsewhere in, the Constitution that the Commonwealth shall protect that culture.

Offered by Delegate


FRANCISCO T. PALACIOS, SAIPAN

PROPOSAL REGARDING THE PRACTICE
OF TRADITIONAL MEDICINE

It is proposed that a draft constitutional provision be prepared which does the following:

- 1) Defines "traditional medicine" as those healing arts based upon the customs of Chamorro or Carolinian culture and currently accepted by a substantial proportion of either the Chamorro or Carolinian community; and
- 2) Provides that the legislature shall pass no law prohibiting the practice of traditional medicine.

Offered by Delegate


FRANCISCO T. PALACIOS, SAIPAN

PROPOSAL REGARDING EXECUTIVE BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared that does the following:

- 1) Requires that government employees in ministerial positions be selected by examinations based on merit;
- 2) Establishes a Civil Service Commission to make policy and recommend legislation concerning government employment;
- 3) Provides for administration of the government employment system by the authorities of the three chartered municipalities subject to the direction of the Commission;
- 4) Creates a method of selection for the members of the Commission, and otherwise addresses itself to the administrative details of the Commission's work.

Offered by Delegate


ANTONIO M. CAMACHO, SAIPAN

PROPOSAL REGARDING THE EXECUTIVE BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared which does the following:

- 1) Creates the offices of Attorney General of the Northern Mariana Islands and of Chief Public Defender of the Northern Mariana Islands; and
- 2) Provides that those offices shall be elective positions.

Offered by Delegate

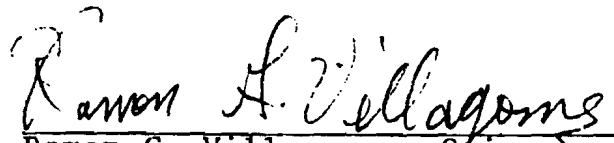

RAMON G. VILLAGOMEZ, SAIPAN

PROPOSAL REGARDING STATUTES OF
LIMITATIONS IN LAND MATTERS

It is proposed that a draft constitutional provision be prepared that does the following:

1. Creates a statute of limitations for land matters running from the date of ratification of the Constitution.
2. Overrides (and makes null and void) all other previously applicable statutes of limitations.

Offered by Delegate


Ramon G. Villagomez, Saipan

PROPOSAL REGARDING SPECIAL COURT
TO DEAL WITH LAND MATTERS

It is proposed that a draft constitutional provision be prepared that does the following:

1. Creates a specialized court to deal only with land matters.

2. Defines the jurisdiction of this court to include matters of title, boundaries, easements, leases, inheritance, transfers, records and other matters with respect to the ownership of land and rights in land in the Commonwealth.

Offered by Delegate


Ramon G. Villagomez, Saipah

PROPOSAL REGARDING LAND

It is proposed that a draft constitutional provision be prepared which does the following:

(1) Authorizes the courts to review sales of lands during the past 25 years to determine that such sales complied with due process of law and that people were fully aware of their rights when they sold land; and

(2) Authorizes the courts to review the taking of lands by public officials or agencies without just compensation, for example, the placing of telephone poles on privately-owned property without just compensation.

Offered by:


Felipe Q. Atalig

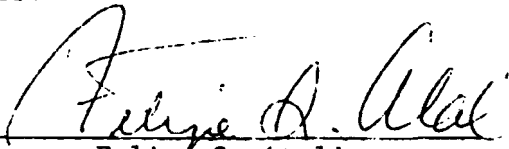
PROPOSAL REGARDING NURSES AND TEACHERS

It is proposed that a draft constitutional provision be prepared which does the following:

(1) Guarantees that teachers and nurses currently working in the Northern Mariana Islands who are not certified may continue to work following adoption of this Constitution; and

(2) That such teachers and nurses be declared certified for the purpose of working in any of the other United States.

Offered by:

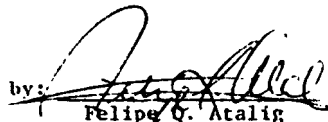

Felipe Q. Atalig

PROPOSAL REGARDING TRADITIONAL CUSTOM

It is proposed that a draft constitutional provision be prepared which does the following:

(1) Affirms that citizens of the Northern Mariana Islands must observe the traditional custom and respect their parents and elders even after they have reached the age of 18.

Offered by:

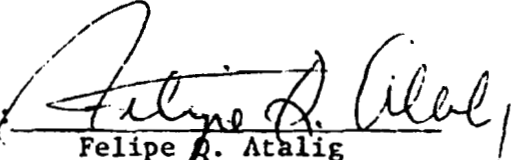

Felipe Q. Atalig

PROPOSAL REGARDING OFFICIAL HOLIDAYS

It is proposed that a draft constitutional provision be prepared which does the following:

(1) Declares that the following days be official holidays in the Northern Mariana Islands: October 18, November 1, and December 8.

Offered by


Felipe R. Atalig

PROPOSAL REGARDING CONFLICTS OF INTEREST

It is proposed that a constitutional draft be prepared which does the following:

- (1) Directs the Northern Marianas Commonwealth Legislature to prescribe by law a code of ethics for all elected officials; and
- (2) Provide for the regulation of conflicts of interest.

Offered by:


Pedro M. Atalig

A PROPOSAL

Proposal regarding the Legislative Branch of Government:

It is proposed that a draft constitutional provision be prepared which does the following:

1. Vests the legislative power of the Commonwealth in a bicameral legislature which shall be called the Northern Mariana Islands Legislature.
2. Provides for the upper house, to be called the Senate, with equal representation consisting of three (3) members from each chartered municipality in the Commonwealth; and for the lower house, to be called the House of Representatives based on population.
3. Provides for a four year term for members to the Senate, and two years for members to the House of Representatives.
4. Provides for a minimum age of 30 years to be elected to the Senate and 25 years for membership in the House of Representatives.

David Q. Maratta

PROPOSAL REGARDING THE
EXECUTIVE BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared that does the following:

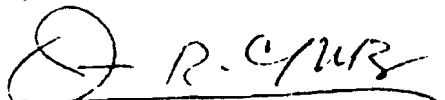
(a) The executive branch of the government of the Northern Mariana Islands shall include the following officers:

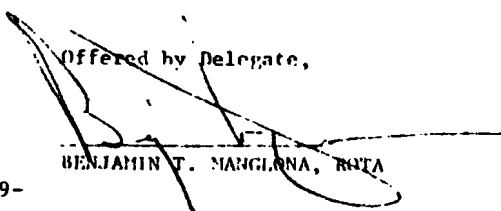
- (1) An elected governor (elected at-large, Commonwealth-wide);
- (2) An elected vice-governor (elected at-large, Commonwealth-wide);
- (3) Two lieutenant-governors (elected at-large, each within the respective municipalities of Rota and Tinian).

(b) The two lieutenant-governors shall be consulted in the preparation of the executive budget of the Commonwealth respecting matters that pertain to the delivery of services on their respective islands.

(c) Any appropriation specifically dealing with Rota or Tinian shall be utilized for such purposes and, except in emergency, shall not be diverted to any other use. In case of such emergency, the appropriation may be diverted upon approval by the legislature of the Commonwealth of the Northern Mariana Islands.

(d) The lieutenant-governors shall be accorded positions in the governor's cabinet or council and shall coordinate the administration of Commonwealth functions on their respective islands.


JOSE R. CRUZ
TINIAN

Offered by Delegate,

BENJAMIN T. MANGLANA, ROTA

~~James M. O'Connell~~

~~James M. O'Connell~~

~~James M. O'Connell~~

~~James M. O'Connell~~

Henry U. H. H. H.

Edward J. J. J.

John P. P. P. - Potomac

Robert W. W. W.

James M. M. M. - Potomac

George H. H. H. - Potomac

David M. M. M.

PROPOSAL REGARDING THE
LEGISLATIVE BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared that does the following:

(a) The upper house of the legislature of the Commonwealth of the Northern Mariana Islands shall be composed of four representatives elected from each of the municipalities of Saipan, Rota and Tinian.

(b) The lower house of the legislature of the Commonwealth of the Northern Mariana Islands shall be composed of a membership apportioned in the same manner as is the Mariana Islands District Legislature prior to ratification of this constitution.

(c) All appropriations of the legislature of the Commonwealth of the Northern Mariana Islands will originate in the lower house and will be subject to approval by the upper house of the legislature.

(d) Appointments by the governor shall be made with the advice and consent of the upper house of the legislature.

(e) Any member of the upper house of the legislature may introduce a bill or resolution pertaining exclusively to the needs and interests of the island that he represents and which will have application only in such island.

(f) Prior to acting on any such bill submitted by a member

of the upper house, the governor shall consult with the lieutenant-governor of the island concerned.

Offered by Delegate,

Jose R. Cruz
TINIAN

~~BENJAMIN T. MANGLONA, ROTA~~

~~Francisco [unclear] - ROTA~~

~~[unclear] - ROTA~~

~~[unclear] - TINIAN~~

~~Peter [unclear] - Rota~~

~~[unclear] - Tinian~~

~~Pedro [unclear]~~

~~[unclear]~~

~~[unclear] - ROTA~~

~~[unclear] - Rota~~

~~[unclear] - TINIAN~~

PROPOSAL REGARDING CONFLICTS OF EMPLOYMENT BY
PUBLIC OFFICIALS

It is proposed that a draft constitutional provision be prepared which does the following:

- (1) Prohibits any member of the legislature, judge or cabinet officer from serving as a member of any board or commission of the executive branch of government.

Offered by: _____

Jose R. Cruz

TINIAN

PROPOSAL REGARDING THE
EXECUTIVE BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared which does the following:

1) Provides for the election of the governor and lieutenant governor on the same ballot by the eligible voters of the Northern Mariana Islands; and

2) Provides for a primary election law for the selection of candidates for the offices of governor and lieutenant governor.

Offered by Delegate,

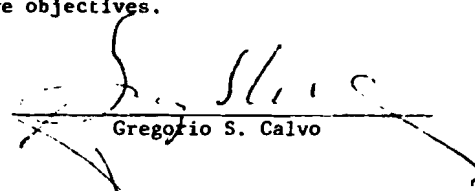
/s/ Oscar C. Rasa

PROPOSAL REGARDING HEALTH SERVICES AND SOCIAL WELFARE

It is proposed that a draft constitutional provision be prepared which does the following:

- (1) Provides for the protection and promotion of public health;
- (2) Provides for the treatment and rehabilitation of mentally and physically handicapped persons;
- (3) Provides for assistance to persons unable to maintain a standard of living compatible with decency and health;
- (4) Safeguards water and air quality and the general environment;
- (5) Guarantees assistance to residents of substandard areas, including the provision of housing to persons of low income;
- (6) Grants the Commonwealth the power to conserve and develop its natural beauty, objects and places of historic or cultural interest and to promote physical good order; and
- (7) Authorizes the Commonwealth to impose reasonable regulations on private property so as to accomplish the above objectives.

Offered by:


Gregorio S. Calvo

PROPOSAL REGARDING AGIGUAN ISLAND


It is proposed that a draft constitutional provision be prepared
that does the following:

Places Agiguan Island (Goat Island) under the jurisdiction of
the Municipality of Tinian.

Offered by Delegates



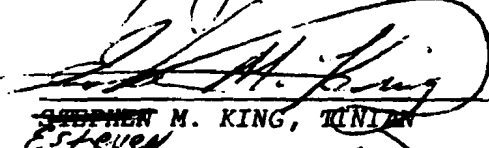
JOSE R. CRUZ, TINIAN



HILARIO F. DIAZ, TINIAN



HENRY U. HOFSCHEIDER, TINIAN



STEPHEN M. KING, TINIAN



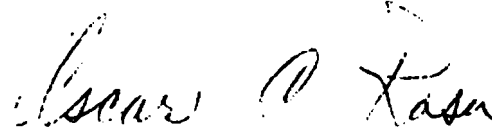
VINCENTE M. MANGLONA, TINIAN

PROPOSAL REGARDING THE
LEGISLATIVE BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared that does the following:

Delegates to the lower house of the legislature shall be apportioned among electoral districts according to population, provided however that each village in existence at the time of ratification of this constitution shall be entitled to representation by at least one delegate.

Offered by Delegate


OSCAR C. RASA, SAIPAN

PROPOSAL REGARDING
DISPOSITION OF PUBLIC LANDS

It is proposed that a draft constitutional provision be prepared that does the following:

- (1) Recognizes that certain public lands are currently occupied by private citizens as residences;
- (2) Defines occupancy to mean uses for private purposes for not less than 20 years;
- (3) Requires the government to grant such public lands to the persons who currently occupy the same;
- (4) This provision is excepted from under the Constitutional provision pertaining to the statute of limitations for land matters.

Respectfully submitted,


Leon F. Taisacan, Rota


Ramon G. Villagomez, Saipan

PROPOSAL REGARDING EMINENT DOMAIN

It is proposed that a draft constitutional provision be prepared which does the following:

- (1) Authorizes the use of the power of eminent domain only when it is the sole means available to accomplish a valid public objective;
- (2) Requires the condemning authority to expend every effort to leasing land rather than depriving its owner of his fee simple interest;
- (3) Provides that the power of eminent domain may be exercised only upon the payment of just compensation to the owner of the property condemned;
- (4) Guarantees that the power of eminent domain shall not be exercised so as to deprive any person of all of his real estate within the Commonwealth; and
- (5) Imposes on the Commonwealth Government the obligation to relocate persons displaced by the exercise of the power of eminent domain.

Offered by:


Pedro H. Igitol

PROPOSAL REGARDING BILL OF RIGHTS

It is proposed that a draft constitutional provision be prepared that does the following:

1) provides that the legislature shall make no law with respect to the establishment of religion or prohibiting its free exercise;

2) provides that the legislature shall make no law abridging the freedom of speech or of the press;

3) provides that the legislature shall make no law abridging the right of the people publicly to assemble and to petition the government for a redress of grievances;

4) provides that no person shall be imprisoned for debt;

5) prohibits the imposition of capital punishment;

6) forbids the employment of children under the age of 14 years in occupations injurious to health or morals or hazardous to life or limb;

7) provides that education for all children between the ages of 6 and 16 years shall be compulsory;

8) provides that no qualification with respect to property, income, political opinion or any other matter but

a citizen's civil capacity and residence shall be imposed
as a condition of voting.

Respectfully submitted,

/s/ Olympio T. Borja

PROPOSAL REGARDING EMINENT DOMAIN

It is proposed that a draft constitutional provision be prepared that does the following:

1) provides that the Commonwealth government shall have the power to take land for public purposes provided that if the condemned realty is located within the municipalities of Tinian or Rota, the local government of that municipality must give its express approval to such taking.

Respectfully submitted,

/s/ Olympio T. Borja

PROPOSAL REGARDING EMINENT DOMAIN

It is proposed that a draft constitutional provision be prepared that does the following:

1) provides that the United States government shall exercise its power of eminent domain within the Commonwealth only after giving the prior written notices to the Northern Mariana Islands government required by Article VIII, Section 806(b) of the Covenant to Establishing a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America.

Respectfully submitted,

/s/ Olympio T. Borja

PROPOSAL REGARDING THE STATUS
OF THE CONSTITUTION

It is proposed that a draft constitutional provision be prepared that does the following:

- 1) provides that the Constitution of the Northern Mariana Islands shall be known as the "Marianas Constitution";
- 2) provides that the Marianas Constitution shall be the supreme law of the Commonwealth subject only to the provisions of the Covenant and of the United States Constitution; and
- 3) provides that an act of the Commonwealth government in conflict with the Marianas Constitution is invalid to the extent of the conflict.

Respectfully submitted,

/s/ Olympio T. Borja

PROPOSAL REGARDING ELECTION PROCEDURES

It is proposed that a draft constitutional provision be prepared that does the following:

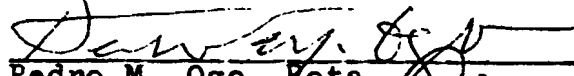
Those persons seeking candidacy for elective office in the Commonwealth of the Northern Mariana Islands shall be selected as candidates by means of a primary election.

Offered by Delegates,


Pedro Q. Dela Cruz, Rota


Prudencio T. Manglona, Rota

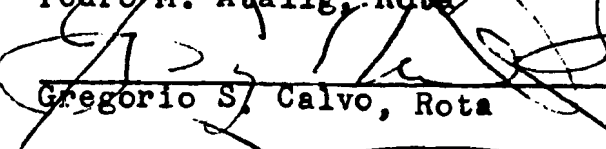

Leon I. Taisacan - Rota


Pedro M. Ogo, Rota


David M. Atalig, Rota


Benjamin T. Manglona, Rota


Pedro M. Atalig, Rota


Gregorio S. Calvo, Rota


Benigno Fitial

PROPOSAL REGARDING THE
OFFICIAL LANGUAGE OF THE COMMONWEALTH

It is proposed that a draft constitutional provision be prepared that does the following:

1. Provides that English shall be the official language of the Commonwealth.

Offered by:


Jose R. Cruz, Tinian

PROPOSAL REGARDING TRIAL BY JURY

It is proposed that a draft constitutional provision be prepared that does the following:

1. Guarantees trial by jury in civil and criminal cases.

Offered by:



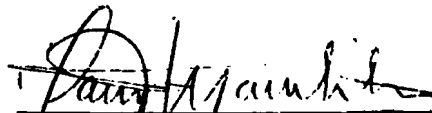
Jose R. Cruz, Tinian

PROPOSAL REGARDING LOCAL GOVERNMENT

It is proposed that a draft constitutional provision be prepared that does the following:

1. Prohibits the creation of units of local government;
and
2. Provides that all local matters shall be subject to the authority of the Commonwealth government.

Offered by:


David Q. Maratita, Saipan

PROPOSAL REGARDING THE
EXECUTIVE BRANCH OF GOVERNMENT

It is proposed that a draft constitutional provision be prepared that does the following:

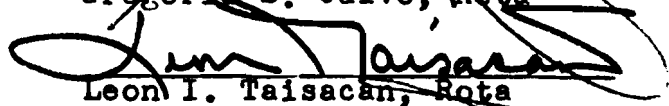
The governor, vice-governor, and lieutenant-governors shall serve no more than two consecutive terms of office.

Offered by Delegates

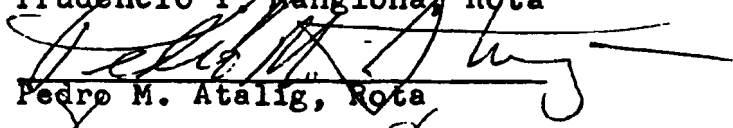

Pedro O. Bela Cruz, Rota

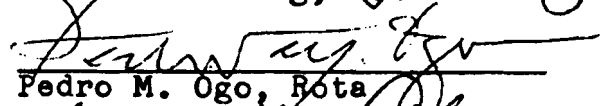

Benjamin T. Manglona, Rota


Gregorio S. Calvo, Rota


Leon I. Taisacan, Rota


Prudencio T. Manglona, Rota


Pedro M. Atalig, Rota


Pedro M. Ogo, Rota

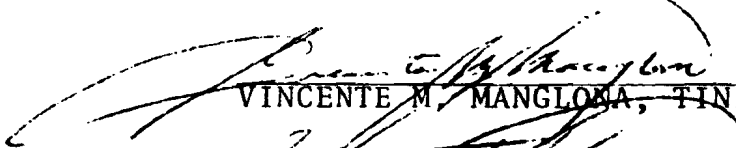

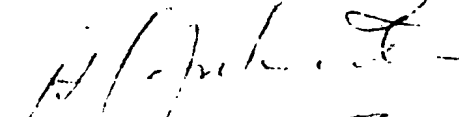
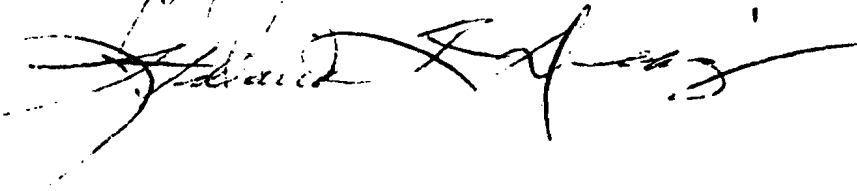

David M. Atalig, Rota

PROPOSAL REGARDING GOVERNMENTAL INSTITUTIONS

It is proposed that a draft constitutional provision be prepared that does the following:

Prohibits government employees from joining or organizing unions or participating in strikes.

Offered by Delegates

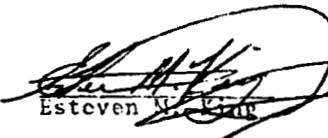

VINCENTE M. MANGLOBA, TINIAN




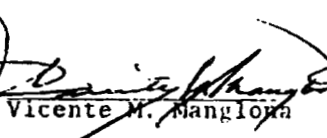
PROPOSAL REGARDING
CAPITAL IMPROVEMENT
FUNDS

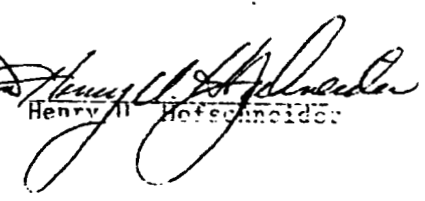
It is proposed that a draft constitutional provision be prepared that does the following:

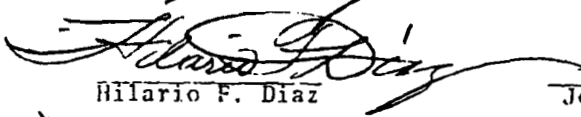
Provides that the municipal government of Tinian shall have exclusive control of all funds reserved for the use of Tinian in capital improvement projects under Article VII, section 702(b) of the Covenant. The municipal government of Rota shall exercise the same control over funds reserved to it.


Offered by:


Esteven M. Cruz


Vicente M. Mangiona


Henry M. Hofschneider


Hilario F. Diaz


Jose R. Cruz

PROPOSAL REGARDING THE OFFICE OF PUBLIC AUDITOR

It is proposed that a draft constitutional provision be prepared that does the following:

1. Provides that there shall be a public auditor, appointed by the governor with the advice and consent of the legislature, who shall serve for a term of four(4) years and thereafter until a successor is appointed and confirmed;

2. Provides that the public auditor shall be free from the administrative control of any person or authority in the performance of his functions and duties specified or provided for in this Constitution;

3. Provides that the public auditor shall inspect and audit all public accounts and shall report the result of his inspections and audits to the legislature at least once a year, and have such additional functions and duties as may be prescribed by law;

4. Provides that the jurisdiction of the public auditor shall extend to all branches, departments, agencies, and statutory authorities of the Commonwealth of the Northern Mariana Islands and to other public entities receiving public funds from the Commonwealth of the Northern Marianas; and

5. Provides that the legislature may, by two-thirds (2/3) vote of the entire upper house (senate), remove the public auditor from office at any time for cause and that in such event, the chief

justice shall appoint an acting public auditor to serve until such
time as the governor, with the advice and consent of the legislature,
appoints a successor.

Offered by:


Pedro J. Igitol, Saipan

PROPOSAL REGARDING LAND ALIENATION

It is proposed that a constitutional provision be drafted that does the following:


1. Provides that no corporation not wholly-owned by persons of Northern Mariana Islands descent may own land in the Commonwealth during the first 25 years of the Commonwealth.

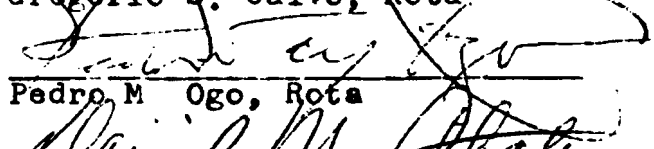
Submitted by Delegates


Pedro Q. Dena Cruz, Rota


Prudencio T. Manglona, Rota

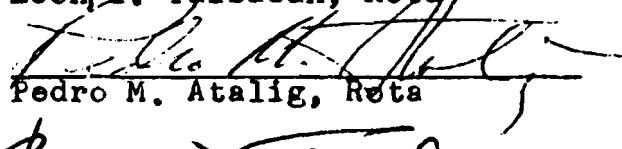

Benjamin T. Manglona, Rota

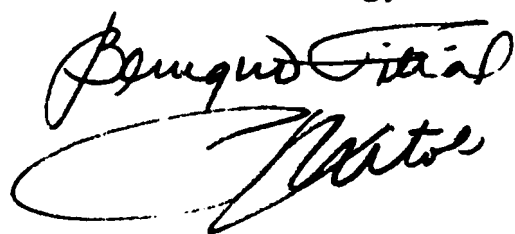

Gregorio S. Calvo, Rota


Pedro M. Ogo, Rota


David M. Atalig, Rota


Leon I. Taisacan, Rota


Pedro M. Atalig, Rota



Benigno Fitial

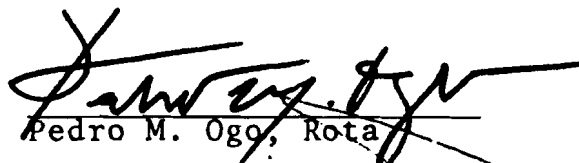

PROPOSAL REGARDING EDUCATION

It is proposed that a draft constitutional provision be prepared that does the following:

Any grade system legislatively adopted shall be at least equivalent in number of grades to that in operation prior to the ratification of the Constitution of the Northern Mariana Islands.

Offered by Delegates


Jose R. Cruz, Tinian


Pedro M. Ogo, Rota

Prudencio T. Manglona, Rota

Gregorio S. Calvo, Rota


David M. Atalig, Rota


Pedro G. Dala Cruz, Rota


Pedro M. Atalig, Rota


Leon I. Taisacan, Rota


Benjamin T. Manglona, Rota

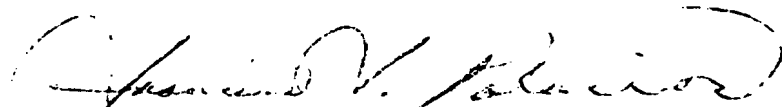
PROPOSAL REGARDING MEMBERS OF THE
MEDICAL AND DENTAL PROFESSIONS

It is proposed that a constitutional provision be drafted that does the following:

1. Provides that members of the medical and dental professions who are licensed to practice in the Northern Mariana Islands prior to establishment of the Commonwealth may continue to practice their professions after establishment of the Commonwealth;

2. That the legislature may provide for the licensing of new members of the medical and dental professions after establishment of the Commonwealth.

Submitted by Delegate



Francisco T. Palacios, Saipan

PROPOSAL REGARDING TAXATION AND FINANCE

It is proposed that a draft constitutional provision be prepared which does the following:

(1) Provides that the Constitution establish a Bank of the Commonwealth;

(2) Provides that the general revenues of the Northern Mariana Islands government be deposited in the Bank of the Commonwealth;

(3) Provides that the Bank of the Commonwealth be supervised by a Board of Governors who shall determine the Bank's policies, the number of members of the Board of Governors to be determined by law;

(4) Provides that members of the Board of Governors be appointed by the Governor of the Commonwealth of the Northern Mariana Islands and with the advice and consent of the upper house of the Northern Mariana Islands legislature;

(5) Provides that members of the Board of Governors are citizens of the United States, be at least 35 years of age, residents of the Northern Mariana Islands for at least three years prior to their appointment, and not serving a sentence for conviction of a felony.

(6) Provides that salaries of the members of the Board of Governors be determined by the Governor of the Commonwealth of the Northern Mariana Islands.

Offered by:


Francisco T. Palacios

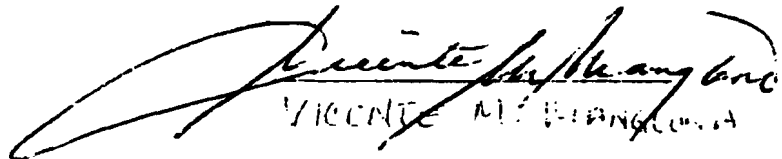
PROPOSAL REGARDING GOVERNMENTAL INSTITUTIONS

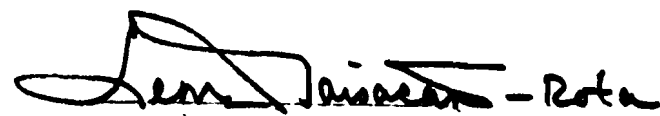
It is proposed that a draft constitutional provision be prepared that does the following:

Establishes the island of Saipan as the official capital of the Commonwealth of the Northern Mariana Islands.

Offered by Delegate,


Manuel A. Tenorio


VICENTE M. MANGONA



ROTA

PROPOSAL REGARDING THE
OFFICE OF COMPTROLLER

It is proposed that a draft constitutional provision be prepared that does the following:

1. Provides that the Office of Comptroller shall be created, leaving to the Convention the decision as to the means of selecting the comptroller.

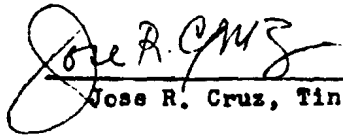
Offered by:


Ramon G. Villagomez,
Saipan

PROPOSAL REGARDING CONSUMER PROTECTION

It is proposed that a draft constitutional provision be prepared which does the following:

- (1) Directs the Northern Marianas Commonwealth Legislature to provide by law for the protection and education of the people against harmful and unfair business practices.


Jose R. Cruz, Tinian

Offered by:


Pedro M. Atalig


Felix A. Ayuy

~~Benjamin T. Manglona, Rota~~

~~Prudencio T. Manglona, Rota~~

~~Pedro C. Cole, Rota~~

~~David M. Atalig, Rota~~

~~Leon V. Teisscan, Rota~~

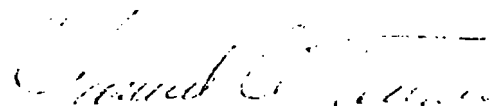
~~Gregorio S. Calvo, Rota~~

PROPOSAL REGARDING EDUCATION

It is proposed that a constitutional provision be drafted that does the following:

1. Provides for mandating free public primary education through the ninth grade;
2. Gives authority to the legislature to deal with the problem of age limits and adult education.

Submitted by delegate


Manuel A. Tenorio, Saipan