



*House of Representatives*  
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
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April 15, 1985

MEMORANDUM:

TO : Speaker  
FROM : Deputy Chief Legal Counsel  
SUBJECT: Potential areas of amendment to the CNMI Constitution

The following is a list of possible subjects which the delegates to Constitution Convention may wish to consider.

- A). The establishment of a legislative budget ceiling for each house.
- B). Should there be a limit on the time within which the Legislature may override a governor's veto?
- C). Short of a unicameral legislature, should there be fewer Senators and Representatives or should there be only a part-time legislature?
- D). If a part-time legislature, should legislators be permitted to have other government employment when not in session?
- E). Should the Attorney General be an elected, rather than appointed position?
- F). Should liason offices be under the Executive Branch or Resident Representative to the U.S.?
- G). Should mayors of Rota and Tinian have supervisory authority over resident department heads?
- H). Should strict penalties or even impeachment be imposed on elected or appointed officials who spend more funds than have been appropriated by the legislature for their branch, agency or department?

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- (I). Should the existence of the Mariana Public Land Corporation be extended?
- (J). Should the funds of the Marianas Public Land Trust be used as collateral only for government bonds to finance infrastructure improvements?
- (K). Should land alienation restrictions be removed, allowing landowners to protect the land for themselves, or should the leasehold period be extended to 50 years?
- (L). Should we have capital punishment?
- (M). Should the right to trial by jury be restricted or expanded?
- (N). The salaries of government officials should be changed to make the numbers consistent with the new amounts contained in Public Law.
- (O). Should Governor and Lt. Governor be elected independently?
- (P). Should the scope of the Governor's emergency powers be clearly defined?
- (Q). Is it necessary to have an Executive Assistant for Carolinian Affairs? (Or to strengthen that office or make it elected rather than appointed).
- (R). Should the Washington Representative's term of office be increased to 4 years to allow for more effective representation?
- (S). Should members of all Boards be elected?
- (T). Should Judges be elected?
- (U). Should rule making power of judiciary be eliminated, or modified?
- (V). Should Article VI Section 6 (b) be eliminated? No new local agencies are necessary.
- (W). Should the failure to comply with the requirements of the Constitution, including reporting requirements, be grounds for automatic impeachment after 90 or 120 days written notice?
- (X). If existence of MPLC is terminated transfer of administrative responsibilities and principals for management and disposition should be clarified in the Constitution. (i.e. Romisher v. MPLC)

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- (Y). Should term "persons of Northern Marianas descent" be redefined, as many of the future locals through intermarriage may not qualify under the 1/4 definition to own land?
- (Z). There should be a provision made for a 3rd CONCON within 10-15 years.

As a final remark, I would suggest to the Delegates that they be conservative in their amendments. I believe that there will be a great temptation for them to try to legislate thru the Constitution and become bogged down with administrative details. This should be avoided, not because it infringes upon the legislative perogative, but in order for the Constitution to remain flexible and effective it must maintain its somewhat general character. This quality will allow future generations to interpret the Constitution in ways which will encompass situations which we cannot foresee today.



Timothy H. Bellas