

June 14, 1985

Need 6/14/85

Experience under two CNMI administrations has shown that a commonwealth consisting of several, widely separated islands functions normally only when strong administrative responsibilities exist on each individual island. This fact was foreseen by the writers of the present constitution who, in Section 17: Public Services, said a) The governor may delegate to a mayor elected under provisions of article VI, section 2, responsibility for execution of Commonwealth laws and the administration of public services in the island or islands, in which the mayor has been elected. Services being provided on a decentralized basis in Rota and Tinian on the effective date of this constitution shall continue to be provided on this basis unless the governor personally certifies after public hearing on the island involved that such decentralization is inconsistent with the efficient and economical delivery of services.

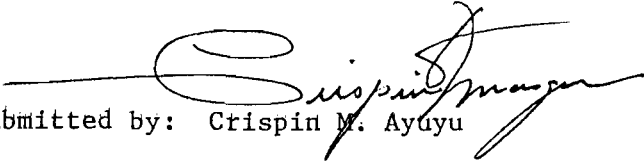
The initial intent of the writers of the constitution was laudable for it continued the degree of local autonomy which traditionally had proven effective in previous administrations. Unfortunately our first two Commonwealth governors have abused this provision: one by installing governor's representatives on Rota and Tinian who effectively weakened the system; and the other by personally certifying that such decentralization is inconsistent with effective delivery of services (though, let it be noted, this was done unconstitutional since public hearings, as required by the constitution, were eliminated). Both governors, by these actions, allowed political considerations to determine their action, and thereby ~~to~~ destroy mutual trust between our islands, which still exists.

This section must be rewritten so that future governors cannot remove the right of decentralization whenever they choose to punish the citizens of Tinian or Rota, or to achieve a momentary political victory.

On the other hand, enemies of decentralization will claim that decentralization merely transfers authority from a wilful governor to a mayor who may be just as wilful. Granted. But there is a traditional way to guard against this. Elected island councils once served this purpose very well, and this once gave very citizen the feeling that he had a part to play in his government. To be elected to this island council should be esteemed an honor and there should be no salary and no expense save for attendance at meetings. The way in which a council and mayor interreact must be worked out carefully, however, this can be developed from the lengthy experience of previous individual island governments.

Most states, just as the United States, have found that there should be a time-limit over which a chief executive can serve. This prevents an individual (president, governor, mayor) from devoting the resources of his office into developing a political system that will

ensure his remaining in office for the remainder of his life span even though he becomes corrupt and inefficient, or simply loses his vision for further development. It is suggested that both governors and mayors should be permitted to serve only two terms.


Submitted by: Crispin M. Ayuyu