

SECOND CONSTITUTIONAL CONVENTION  
of the  
NORTHERN MARIANA ISLANDS  
Convention Hall - House of Taga  
Saipan, CM 96950

SEVENTH DAY

Monday, June 24, 1985

The Second Constitutional Convention of the Northern Mariana Islands was called to order at 9:30 a.m., Monday, June 24, 1985, in the Convention Center - House of Taga, San Vicente, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Herman T. Guerrero, President, presided.

A moment of silent prayer was observed.

The Convention Secretary called the roll, and 23 delegates were present. Delegate R. Villagomez was absent.

Secretary Nabors: Mr. President, a quorum is present.

President H. Guerrero: There is a quorum. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I move that we excuse Delegate Villagomez.

Delegate DL. Guerrero seconded the motion.

Delegate Nabors: No objection.

Delegate DL. Guerrero: Mr. President, I think the Floor Leader just wants to show that the Convention Delegates excuse Delegate Villagomez at least for the time being during the roll call.

President H. Guerrero: Yes, Floor Leader Lizama?

ADOPTION OF JOURNALS

Floor Leader Lizama: Mr. President, I move that we adopt the Second Day's Journal, the Journal that was passed out last Friday.

Delegate Nabors seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Second Day's Journal of the Second Northern Marianas Constitution. Discussions? Delegate Mafnas?

Delegate Mafnas: Mr. President, if there is no objection from the delegates, I respectfully ask that my statement on page 17 I guess, or 37, the last sentence be stricken out from the Journal.

Delegate DL. Guerrero: No objection.

Delegate Mendiola: No objection.

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President H. Guerrero: If there is no objection, then Delegate Mafnas' statement on page 37, the last sentence shall be deleted from the Journal. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I don't see anything wrong with the statement. I think it is only proper that it should be included. I think the leadership with the President will certainly show that as we continue in this Convention that perhaps....

Delegate Mafnas: Mr. President?

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: I must admit to the Convention and to you, Mr. President, that I made that statement prematurely, so I ask that it will be stricken out.

Delegate Nabors: No objection.

President H. Guerrero: There is no objection, it shall be stricken out from the Journal. Any more discussions?

There being no further discussion, the motion to adopt the Second Day's Journal was carried by voice vote.

President H. Guerrero: The Second Day's Journal is adopted. There's no communication, we'll move on to Committee Reports.

#### COMMUNICATIONS

None

#### COMMITTEE REPORTS

President H. Guerrero: Any committee reports?

Floor Leader Lizama: Mr. President, the Committee on Governmental Institution has nothing to report at this time, however, I would like the Convention to know that the Committee on Governmental Institution will begin hopefully to hold public hearings by Thursday afternoon. Some of the proposals that have been referred to the Committee on Governmental Institution, hopefully also, we would like to have them disposed or acted upon prior to Thursday so the Convention will certainly be receiving committee reports no later than Wednesday of this week.

President H. Guerrero: Thank you, Chairman Lizama. Chairman Manglona?

Chairman Manglona: Mr. President, your Committee on Local Government has nothing to report today. Thank you.

President H. Guerrero: Chairman Guerrero?

Chairman DL. Guerrero: Thank you, Mr. President. Your Committee on Finance and Other Matters is happy to report to you that the committee met on Saturday and Sunday and we have deliberated on some of the delegates' proposals that were being referred to your committee as well also as we

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were accorded the opportunity to call in a delegate who introduced that particular proposal. Eventually of course, the committee will come back with a written committee report and that has to be done during this week, Mr. President.

(At this point, Delegate Villagomez took his seat.)

President H. Guerrero: Thank you, Chairman Guerrero. Chairman King?

Chairman King: Thank you, Mr. President. Your Committee on Personal Rights and Natural Resources has nothing to report at this time, however, just for your information purposes, the Committee on Personal Rights and Natural Resources has reviewed forty proposals already and we will come up with a written report as soon as we put them in a final form.

President H. Guerrero: Thank you, Chairman King. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I would like the delegates to recognize that Delegate Villagomez is here already.

President H. Guerrero: Thank you. If there is no further committee reports, we will go to the Introduction of Proposals and Referrals. Any proposals to be introduced? Delegate Torres?

#### INTRODUCTION OF PROPOSALS AND REFERRALS

Delegate Torres: Thank you, Mr. President. I have three proposals to introduce this morning, authored by myself and several others. The first one is "A Proposal to amend all sections of the Constitutions of the Northern Mariana Islands to prohibit any person convicted of a felony without full pardon in the Commonwealth or elsewhere from being elected or appointed to any public office, autonomous or semi-autonomous entities inclusive, throughout the Commonwealth." The second proposal is "A Proposal to minimize corruption in the Marianas Public Land Trust by amending Section 6(a) and 6(f) of Article XI of the Northern Marianas Constitution." The third proposal is "A Proposal to add a new Section 7 to Article XI of the Northern Marianas Constitution to proscribe inter-island land exchange of public lands." Thank you, Mr. President.

President H. Guerrero: Thank you, Delegate Torres. Delegate Limes?

Delegate Limes: I have a few proposals here, Mr. President, "A proposal to amend Article III, Section 2."; "A proposal to amend Article IV, Section 5."; "A Proposal to amend Article VI, Section 5."; and "A proposal to amend Article III, Section 17(c)."

President H. Guerrero: Thank you, Delegate Limes. Delegate Mendiola?

Delegate Mendiola: Thank you, Mr. President. I got one proposal to introduce this morning, introduced by myself and three others, "to amend the Constitution of the Commonwealth of the Northern Mariana Islands regarding eligibility of residency."

President H. Guerrero: Thank you, Delegate Mendiola. Delegate Kaipat?

Delegate Kaipat: Thank you, Mr. President. I have this morning with me five proposals to submit to the President. The first is "A Proposal to"

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amend Section 8 of Article III of the Constitution of the Northern Mariana Islands relevant to temporary absence or disability of the Governor." The second is "A Proposal to repeal Section 18 of Article III of the Constitution of the Commonwealth of the Northern Mariana Islands relevant to the Executive Assistant for Carolinian Affairs and to reinstate with the following amendments." Third is "A Proposal to repeal Section 7 of Article III of the Constitution of the Northern Mariana Islands relevant to succession of the governorship." Next is "A Proposal to amend Sections 2 and 3 of Article 4 of the Constitution of the Northern Mariana Islands relevant to the term of office and qualification of Representative in the United States." Next and the last is "A New Proposal to amend the following to the Constitution of the Commonwealth of the Northern Mariana Islands the enumeration in the Constitution of certain rights shall not be construed, denied or discouraged other retain by the people." That is all, Mr. President.

President H. Guerrero: Thank you, Delegate Kaipat. Any more proposals? Flor Leader Lizama?

Floor Leader Lizama Mr. President, I would like to offer four proposals. The first one is a proposal regarding "Article XI, Section 5." The second one is a proposal regarding "Article XI, Section 6." The third is in regards to "Article IV, Section 2." And the fourth one is in regards to "Article VII, Section 1."

President H. Guerrero: Thank you, Floor Leader Lizama. Any more proposals? Delegate Tomokane?

Delegate Tomokane: Thank you, Mr. President. I have a proposal here which is introduced by myself and nine other delegates, "To amend the phraseology of the Preamble of the Northern Marianas Constitution." Thank you.

President H. Guerrero: Thank you, Delegate Tomokane. Delegate Villanueva?

Delegate Villanueva: Mr. President, I have a proposal here to add to Article I. The title is "To prohibit abortion in the Commonwealth of the Northern Mariana Islands."

President H. Guerrero: Thank you, Delegate Villanueva. Delegate Mafnas?

Delegate Mafnas: Thank you, Mr. President. I have several proposals here to offer: (1) "To amend Section 5 of Article IV of the Northern Marianas Constitution relating to appointment and qualifications of judges." (2) "To add a new Section 6 to Article XVIII of the Northern Marianas Constitution relating to conflicting amendments and revisions." The next is "To amend Section 17(a) of Article III; to delete Section 17(b) and (c) of Article III of the Northern Marianas Constitution in their entirety relating to public services." The last is "To delete Article VI of the Northern Marianas Constitution in its entirety pertaining to the Offices of the Mayors."

President H. Guerrero: Thank you, Delegate Mafnas. Any more proposals? Secretary Nabors?

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Secretary Nabors: Thank you, Mr. President. I have a proposal "to amend the Constitution to provide for Chamorro/Carolinian Education Program." I have a proposal "to amend the Constitution relating to eminent domain proceedings." The third proposal would be "to amend the Constitution to prohibit the selling of homesteads." The next proposal would "amend the Constitution concerning the Marianas Public Land Corporation." The next proposal would "amend the Constitution relating to the Governor's emergency powers." Next is "A Proposal that would provide civil immunity to executive branch officials for actions taken in their official capacity." The next proposal would "to amend the Constitution to remove and prohibit any limits being placed on actions for wrongful death or injuries." The last proposal is "to amend the Constitution regarding election procedures." Thank you, Mr. President.

President H. Guerrero: Thank you, Secretary Nabors. Are there any more proposals? If none, I understand that the Steno Pool has passed out copies of the proposals that were introduced last week and I have referred those proposals starting with Proposal 118-85 all the way to 132-85.

(See attached Referral Sheet on Proposal Nos. 118-85 to 132-85.)

SECOND AND FINAL READING OF PROPOSALS

None

INTRODUCTION OF RESOLUTIONS

None

UNFINISHED BUSINESS

None

SPECIAL ORDERS OF THE DAY

None

GENERAL ORDERS OF THE DAY

None

MISCELLANEOUS BUSINESS

President H. Guerrero: We are now on Miscellaneous Business. Any miscellaneous business? Chairman Guerrero?

Chairman DL. Guerrero: Thank you, Mr. President. I think, Mr. President, on Saturday's session before we adjourned there were some concerns regarding the public law for this Convention and we asked to have some opinion more or less. I wonder if the AG or the Attorney General has some opinion that has been rendered to you regarding the session.

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President H. Guerrero: Does the AG has any opinion?

Legal Counsel E. Smith: At this point in time, we have no written opinion yet. They just came up with the request this weekend and discovered it this weekend I will just do a formal research. I don't have a written opinion ... because it is oral. That's all.

President H. Guerrero: When can we expect an opinion?

Legal Counsel Smith: You will have an opinion today.

President H. Guerrero: Does that satisfy you, Delegate Guerrero?

Chairman DL. Guerrero: Yes, Mr. President. I think it's appropriate that it must be written since this is a statute.

President H. Guerrero: As soon as it is ready, it will be made available to all the members. Delegate Villagomez?

Delegate Villagomez: Thank you, Mr. President. At this time, I have two motions I would like to make under Miscellaneous Business. The first motion relates to the fact that many of the proposals that have been submitted to the Convention relate to legislative matters or matters that should be taken up by the Legislature. In some of the meetings that our committee have undertaken, we have designated some of the proposals as matters for the Legislature and then set them aside and decided not to take actions. My motion is as follows, that the four substantive committees of the Convention designate those proposals they deem to constitute legislative work or proposals that should be referred to the Legislature rather than the Constitutional Convention and that the leadership of the Convention then gather those designations and make a list of them and at the end of the Convention we will refer them to the Legislature and ask for their study and action so that we don't just waste time reviewing the proposals and designating them as legislative matters, where we could use these to give ideas to the Legislature for them to have things to think about and make studies and take actions if necessary. This may subsequently be formed into a resolution requesting the Legislature to take action on those matters. But at this time, my motion is for the committees to identify those proposals which they feel should be referred to the Legislature, the leadership to make a list of those and then have them ready to be presented to the Legislature toward the end of our Convention. That's my motion.

President H. Guerrero: That's a motion not a suggestion, isn't it?

Floor Leader Lizama seconded the motion.

President H. Guerrero: Discussions? It has been moved and seconded. Can you state your motion again? It's a little bit lengthy.

Delegate Villagomez: Yes. The motion is for each of the substantive committees to designate those proposals which they feel should be referred to the Legislature for legislative work rather than the Constitutional Convention, and then the leadership to make a list, gather all those designations and make a list of all those proposals that the Convention deems should be referred to the Legislature for legislative action.

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President H. Guerrero: Discussions? Secretary Nabors?

Secretary Nabors: Thank you, Mr. President. Mr. President, I have never encountered a situation where motions are made in Miscellaneous Business. Beyond that, I think that we have to be very careful about setting ourselves up as Almighty to determine what should or should not be in the Constitution. Secondly, I don't think there is any merit in advising the Legislature about matters that we might consider to be within their prerogative for the simple reason that there are many, many matters in the Constitution that admonished the Legislature to take action and here we are in our seventh year of our Constitutional Government and the Legislature hasn't done anything. For instance, under the Constitution, the Legislature and the Local Government was admonished to come up with a proposal, a study, and investigation as to the workability of the congressional delegation handling local matters. There hasn't been one single thing done by the Legislature concerning that matter. And I personally have no faith that the Legislature would response to any suggestion made by this Convention. My solution is to run for the Legislature and get down there and do something that they should have been doing all along. So to summarize, I believe that the motion under this item is out of order, and number two, even if it isn't, I do not support it. Thank you.

President H. Guerrero: Delegate Kaipat?

Delegate Kaipat: Thank you, Mr. President. I am personally against that motion because of this reason. I feel that each one of us when we submit a measure we went through so much painful and time consuming period to try to come up with such measure and I really don't think that the committee should decide whether this would go to the Legislature or not, without calling for public hearing on certain measure, without the knowledge of a consultant, such as the AG and his staff to really examine these important measures which are considered by each one of us as we submitted such measures. And also aside from public hearing and consultation with the AG and other law firms which is required prior to referring such a measure to this Legislature, it will also be appropriate to bring it into the House openly and as a Committee of the Whole for us to discuss because we might save some of those measures when we are all cooperating together. Thank you.

President H. Guerrero: Thank you, Delegate Kaipat. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I agree with Delegate Villagomez that some of the proposals that have already been submitted do not necessarily have to be constitutional matters and that they are legislative matters. I share certainly his concern, however, I tend to agree with Delegate Nabors that we have to be very careful in simply and summarily identifying proposals that may well look like legislative matters but unless the committees would put themselves to work and review thoroughly the proposals and if so require that public hearing should be provided for and until such time that the committees are certain to dispose or act upon the individual proposals that the concern that Delegate Villagomez just mentioned should be the committees' responsibility to determine one way or the other. Thank you, Mr. President.

President H. Guerrero: Delegate Pangelinan?

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Delegate Pangelinan: Thank you, Mr. President. First, the Robert's Rules of Order says that don't use your knowledge of Parliamentary Law to hinder business by constantly raising point of order and insisting upon the strict observance of every rule at a meeting in which the majority of the members have no knowledge of these rules. For the sake of efficiency and getting the business in order, I ask the indulgence of these members that if there is an issue or concern on the floor that we address this issue and we make our suggestions and then we vote on it. I agree with Mr. Villagomez that there are legislative issues that can be addressed and there are constitutional issues, but there is also another concern that we have is that it is up to us to make any issue, a constitutional issue as long as that issue is in consistent with the Covenant and the U.S. Constitution. Our only limitation is that there is a limitation imposed on us by the Covenant and the U.S. Constitution and this motion would really be up to the discretion of the committee whether we want to address it in our Constitution or not, and it would create a lot of problems on the common sense of each delegate. Thank you.

President H. Guerrero: Floor Leader Lizama?

Floor Leader Lizama: Mr. President, in line with what Delegate Pangelinan just stated, I move to suppress the question.

President H. Guerrero: Is that a motion to end debate?

Floor Leader Lizama: It's a motion to suppress the question, meaning that the Convention need not have to vote on the previous question.

Delegate Villagomez: I think the proper motion would have been to table or to file. I've never heard of a motion to suppress.

Floor Leader Lizama: A motion to suppress is similar to a motion to table though. The question however, a motion to table means that we are just going to defer the motion but my motion is to suppress the question. And if I may ask the indulgence of Delegate Villagomez, I hope that he could make a motion to withdraw his motion.

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: Thank you, Mr. President. I agree with Delegate Villagomez and I think or I believe rather that the delegates here will not present the concerns in a proposal form if the problems in the their respective islands are not serious. It is unfortunate that the Legislature since the inception of the Commonwealth Government has been far-sighted on these problems. Your Committee, Mr. President, on Governmental Institution has agreed to set these issues aside and present them to the Convention urging the Legislature to review and address the concerns of your delegates under a resolution form. And I think it is incumbent upon us to respect the proposals submitted by each delegate to either table it or further refer it to a body that has not been responsive to the problems that the people of the Northern Marianas are encountering. I support the motion. I think it will save time for this Convention if each chairman and members of the four standing committees will review the proposals and take action as moved by Delegate Villagomez. Thank you.

President H. Guerrero: Delegate Villagomez?



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Delegate Villagomez: Mr. President, perhaps my motion is not well understood and I have very good intentions. But my purpose is just to make use of the time that we put into this and also to give to the Legislature the benefit of our thinking by what matters could be taken up by the Legislature rather than here with the Convention. If any of the committees find that there is no legislative matters in their committees, then of course we will not have anything from them. All I am saying is that those proposals that any of the committees should decide that they really shouldn't be in the Convention it should be in the Legislature, then we should make a list of those and give it to the Legislature. It is a simple task that would benefit the Legislature and the general public by using the product of this Convention. When the Convention decides that something should go to the Legislature, we have identified something for them. And for that reason -- I didn't anticipate a lot of discussions and debates and so I thought maybe my motion was not well presented or clarified.

President H. Guerrero: Can I ask Delegate Villagomez to withdraw your motion and make it a recommendation so that the Committee on Organization and Procedures can take it up?

Delegate Villagomez: Yes, I am amenable to that. I will withdraw my motion and request that it will be referred to either the proper substantive committee or to the Committee of the Whole.

President H. Guerrero: Thank you. So his motion has been withdrawn. Delegate Manglona?

Delegate Manglona: Mr. President, I seconded the motion so I would like to comment on that. I agree very much with Delegate Villagomez that all those proposals which a committee deems necessary for the Legislature to act should be referred to the Legislature. However, before we do that I would like also to suggest that those committees which feel have a certain concern on a proposal should be accorded the opportunity to review also that proposal and then if that committee feels that it should be send to the Legislature, then, and only then should we refer it to the Legislature. So I would suggest that those committees who have concerns should look at that proposal also so that we can avoid instances as Mr. Nabors had pointed out. Thank you.

President H. Guerrero: Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I've stated earlier that I really share the concern of Delegate Villagomez, however, I think in the case of the Governmental Institution Committee it's obvious to many delegates that the Governmental Institution has a tremendous task of having to review so many proposals. This is one committee task that I just cannot see how a requirement should be made to put together what proposals referred to the Committee on Governmental Institutions, to come forward immediately and suggest to the Convention the need to immediately submit recommendations to the Legislature and whatnot. It is my thinking that each committee has the task also of identifying those proposals that need legislative attention. I'm pretty positive that each committee knows what it's doing. The time will come when each committee will be submitting resolutions to the Convention, and I think each committee should make that determination. I don't want to be required to submit recommendations on proposals submitted to the Convention when I am not prepared to do so.

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President H. Guerrero: Thank you, Floor Leader Lizama. Chairman Guerrero?

Chairman DL. Guerrero: Thank you, Mr. President. I think there are merits to those suggestions that were raised on the floor. Again, last week sometimes we discussed how the delegate proposal should be treated within the committee and has to be addressed to the Convention. Again, I think we have prepared a sample format to present it to the committee so at least that particular format on a day-to-day as the committee progress its function may report it to the Convention after the disposition of the committee. I think it's important and I share the concern of Delegate Villagomez and other delegates that have spoken in the matter of our interest because I'm sure that each individual delegate here would like to see the progress of his proposal and a lot of these proposals may not necessarily be addressed as constitutional issue and it could also be treated as legislative matter. In order to have that to make it be known in this Convention, I think it is only incumbent upon the committees to come up with their report and with attach sheet on the status of the delegate proposal and the recommendation of the committee, Mr. President.

President H. Guerrero: Chairman Guerrero is referring to a proposal report in terms of each proposal. And basically what it does is that I think it makes reference in terms of the disposition by the committees. So we are going to have this xeroxed and provide all members of the Convention which I believe it's a good format to use. Delegate Villagomez?

Delegate Villagomez: Thank you. Mr. President, I mentioned earlier that I have two motions. My next motion, I anticipate would not generate a lot of discussions, but if it does I would request the Floor Leader to move that we will resolve into the Committee of the Whole so we don't put it in the Journal. And this motion has to do with the proposals being submitted on a daily basis. The motion is as follows: I move that the submission of proposals to the Convention be done within the first fifteen days of our Convention, that after the fifteenth day of the Convention there will be no further submission of new proposals so that the Convention will concentrate on working on the proposals that have been submitted in the first fifteen days of the Convention.

Floor Leader Lizama: I second that motion, Mr. President.

President H. Guerrero: I believe that's an amendment to the Rules, because according to the Rules you cannot submit proposal one day prior to the end of the session.

Delegate Villagomez: The last day?

Floor Leader Lizama: That is correct, Mr. President, that each and everyone of us could submit proposals up to the last day of the thirty day period.

President H. Guerrero: I just want to mention that the Committee on Organization and Procedure recommended that all proposals be submitted at least ten days prior to the end of the session. I was going to make that announcement under the.... Excuse me, I stand corrected. I believe the last day to submit proposals would be this coming Monday, otherwise the committee might not be able to accommodate any new proposals.

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Delegate Villagomez: With the unanimous consent of the Convention, I believe that under our rules we could make that change and have the Rule states that the last day for submission of proposals to the Convention be the fifteenth day. So the Chair can find out if there is a unanimous consent from the Convention, and if not, then I will just drop my motion. I have a very good intention so I think it will help the Convention.

President H. Guerrero: Is there any objection? Floor Leader?

Floor Leader Lizama: Mr. President, I tend to agree with the motion, however, I like Delegate Villagomez to state his motion in the form that it will also be calling for the suspension of the applicable rules.

Delegat Villagomez: Okay, let's do it properly. At this time, I give notice that tomorrow I will move to amend the Rules of the Convention so that instead of allowing proposals to be submitted up to the twenty ninth day of the Convention, it will be changed to the fifteenth day of the Convention and I ask the unanimous consent of the floor to suspend Rule 66 (a) requiring five days notice.

Floor Leader Lizama seconded the motion.

President H. Guerrero: Delegate Villagomez gave notice that under Rule 66 (a), he is going to ask for unanimous consent under Rule 67 to suspend Rule 68.

Delegate Villagomez: That's correct.

Delegate Nabors: No. Point of Order, Mr. President. I thought that Delegate Villagomez was giving notice for his intention tomorrow to request for suspension of Rule 68, Mr. President. And that other motion not meeting its second.

President H. Guerrero: It's only a notice, right?

Delegate Nabors: Notice.

Delegate Villagomez: I would like the Chair to find out if there will be a unanimous consent for tomorrow, if not I will drop the whole subject.

President H. Guerrero: You know you can ask for unanimous consent under Rule 67 today, rather than give a one day notice under Rule 68.

Delegate Villagomez: If that is the ruling of the Chair, I hereby ask for unanimous consent....

Delegate Manglona: Mr. President?

President H. Guerrero: Delegate Manglona?

Delegate Manglona: I wholeheartedly agree with the intention of Delegate Villagomez, however, I would like just to point out a very important issue here. I think that while we are all elected as delegates to represent our people, some individuals also, some of our citizens who like also to make proposals and they are not aware that Monday will be the last day to submit proposals. I know that if I were to go to the island I am representing I will hear another proposal again, maybe next week or the following

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week. So I would like to at least leave this open so that our people are given the opportunity also, and I would like to suggest that we just make a recommendation for all the delegates to please put in all their proposals by Monday or by the fifteenth day of this Convention. Just get that understanding among ourselves and to submit all the different proposals that we have by Monday. Any proposals submitted afterwards might not be considered. So if we just get that understanding, we will get this thing going. I just ask that we consider those people outside who might have recommendations as we go on. Thank you.

President H. Guerrero: Is there any objection to the recommendation by Delegate Manglona, instead of trying to amend the Rules?

Delegate Mafnas: Mr. President?

President H. Guerrero: Just a minute, I believe Ray Villagomez was asking for unanimous consent.

Delegate Villagomez: Yes. If not, then I will have to give the notice. I have to change Rules....

President H. Guerrero: You would like to change the Rule?

Delegate Villagomez: Yes.

Delegate Nabors: Point of information.

President H. Guerrero: State your point of information.

Delegate Nabors: Monday is the fourteenth day and Tuesday is the fifteenth day, we are not talking about a lot of time. And also, any delegate should have sense enough to know that if he doesn't get his proposal in this week, the workload likely will be such that it won't be considered, so I don't see the big deal.

Delegate DL. Guerrero: Point of information.

President H. Guerrero: State your point of information, Delegate Guerrero.

Delegate DL. Guerrero: Mr. President, I think the leadership of this Convention met this morning, and of course, in line with Delegate Villagomez is just to set up the limitation of the introductions of delegate proposals. I suppose maybe Delegate Villagomez should be addressed of what has been discussed during this morning's session or during the discussion this morning under the leadership. I believe it is only appropriate that you should explain what has been discussed and what was agreed upon before we act on it in any motion.

President H. Guerrero: Delegate Villagomez, for your information, the Committee on Organization and Procedures recommended that all proposals be submitted by Monday at the latest for consideration. Anything received after that might not receive the consideration of the substantive committees.

Delegate Villagomez: I withdraw my motion.

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President H. Guerrero: Delegate Villagomez withdrew his motion requesting for unanimous consent under Rule 67. Delegate Pangelinan?

Delegate Pangelinan: Mr. President, I don't like the words "might not." I think we should decide because there are many proposals that are conflicting. We are receiving proposals that say, we are asking the introducer of the proposals to explain and they say, well, we want this proposal, provided that that proposal on Natural Resources is passed or Local Government is passed, so then we have to piece these together. I address each proposal on the current system, but there are proposals that are being addressed provided that the other five proposals which are assigned to different committees are approved. This is creating a problem on the committees recommendation.

President H. Guerrero: Thank you, Delegate Pangelinan. Floor Leader Lizama?

Floor Leader Lizama: I think, Mr. President, that I, for one, would like to see that all proposals be submitted as soon as possible. And therefore at this time, I would like to give notice that tomorrow I will be making a motion to suspend Rule 68 pursuant to Rule 67 and that this would make my motion be a proper motion under Rule 66. The motion that I will be making tomorrow would be to require that proposals be submitted no later than next week Friday.

Delegate Nabors: Next week Friday, or this week Friday?

Floor Leader Lizama: No, next week Friday. After next week Friday, there will be no further submissions of proposals.

Delegate Mafnas: Mr. President, I really don't see any problem, but it's good to set the date for termination of proposals submission. If I come up with a significant amendment at the urging of my constituents or the people of Saipan or the Northern Marianas after the dateline, I'm sure that the Convention will perhaps allow such delegate or myself to introduce such proposal because it is important. But for planning purposes for all your standing committees, I believe that we should set a dateline for such submission. Thank you.

President H. Guerrero: Delegate Calvo?

Delegate Calvo: Mr. President, I have observed the speakers under the Miscellaneous Business today, and believed Delegate Villagomez pointed out some important roles that I believe we must address ourselves. I feel strongly that by next week Monday, all delegates should dispose of their submission of proposals. I knew for a fact that everybody is aware that we are really tight with the proposals on hand or presently with us. And I feel strongly that proposals that are coming that are either heading to amend the Constitution, we are overlapping our proposals which we cannot stop any individual. But I will ask the delegates that please review all the referrals and if you feel there's an issue of your concern as prompted under that proposal, in the event that a decision is made by the Committee of the Whole that submission by a reporting committee be on the floor then you will find time to make your position on the issue. I feel that we have basically more major and crucial subject proposals that are already before us. I feel that with the leadership position to have it on Monday, I strongly believe that this should really help us out with our time. We

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will have the time of receiving more the proposals and then have them referred to the committees. I also feel that the concern of those in regards to the proposals or in regards to the issues of entertaining proposals submission before this Convention, Mr. President and delegates of this Convention, if so there are some serious or detrimental issues on proposals that they be accorded to be acted upon after the date designated for termination of submission; we should then address this to the Convention. And I think with all due indulgence and respect, the Convention should take the issue up because by that time we should all be prepared and we should all know that it should be in the Analysis of the Constitution at least. It's not a matter of objective but perhaps just a point of information to the subject delegate that this issue is in the Analysis of the Constitution for a witness to have his own floor for his position and that's taking time. Public hearing is really tight up to assume that. The leadership when met this morning indicated that all chairmen will be soon putting out public hearing notices and I could see that we will really be tight up for the next few days. So I ask the indulgence and support of this Convention that we will limit or we will accept proposals after Monday, this coming Monday, only if it's necessary or detrimental or serious cases. Thank you, Mr. President.

President H. Guerrero: It seems like everybody agreed in principle, but it's a question of whether it should be done under a recommendation or a change in rules. I would like to see if we can recess for five minutes and resolve this. The meeting is recessed for five minutes.

There being no objection, the Convention recessed at 10:29 a.m.

RECESS

The Convention reconvened at 10:38 a.m.

President H. Guerrero: Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I would like to make a suggestion. I would like to ask also the indulgence of the Convention delegates to agree to the suggestion that by next week, Tuesday, we would like to have all proposals to be submitted by then, however if proposals at a later time need to be submitted as Delegate Mafnas has suggested that the delegates could still be allowed to submit significant proposals. This is just a suggestion but it will be maybe important if we could hear how the other delegates feel about this suggestion.

President H. Guerrero: The Chair highly recommends the recommendation made by Floor Leader Lizama. Delegate Igitol, you had your hand up?

Delegate Igitol: Mr. President, I fully agree with that recommendation to have a strongly recommended dateline, however, I feel that I would like to give notice that I have a proposal coming up but I don't think it will be up before the dateline that we are submitting. I have requested for the assistance of the Public Auditor and the Director of Finance for this, I would say, a very significant proposal that will establish a uniform fiscal management policy governing the three branches of government. And since the fact is that this week they have a budget hearing, I just like to notify the Convention that my proposal will not be submitted before Monday or Tuesday. Thank you, Mr. President.

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President H. Guerrero: Thank you. I believe we have discussed this business enough. Any more Miscellaneous Business? Delegate Torres?

Delegate Torres: Thank you, Mr. President. Up to this point in time I'm still not clear on four basic issues relative to the disposition of delegate proposals. First question, who will provide the guidelines to determine what is constitutional and what is not? Second, who is to approve such a guideline if there is any? Third, will the authors be accorded the privilege to respond to the disposition of the proposal? And lastly, will there be an appeal process? If so, how? Thank you, Mr. President.

President H. Guerrero: Secretary Nabors?

Secretary Nabors: Mr. President, can I please ask Delegate Torres to repeat the fourth point? I missed it. Thank you.

Delegate Torres: Appeal process.

Secretary Nabors: Thank you.

President H. Guerrero: Delegate Torres, your concern has been noted and this will be taken up by the Committee on Organization and Procedures. We will provide you the answer by tomorrow. Any other Miscellaneous Business? If none, we'll go on.... Delegate Mafnas?

Delegate Mafnas: Thank you, Mr. President. Fellow delegates, this morning I introduced two proposals that will definitely solve many of our problems with respect to local government and the delivery of essential and required public services to our people on Rota, Tinian and the islands north of Saipan. Moreover, it will save the innocent taxpayers of the Northern Marianas significant amounts every fiscal year.

In my proposals, I am doing away with the Office of the Mayors. Simultaneously, I am proposing to amend Article III to require the Governor to appoint his representatives for the Islands of Rota and Tinian. These representatives shall be responsible for the delivery of essential and required public services. Furthermore, they will not have to worry about getting elected in the next general election.

I am humbly soliciting the wisdom of the Committee on Local Government to give my proposals its fullest attention and consideration. I am asking the same committee to address the following issues during its deliberation on the proposals:

- (1) Efficiency of the delivery of essential and required public services;
- (2) Savings that will be realized by the taxpayers. When discussing this issue, I suggest that the committee prepares comparative budgets of the mayors from Fiscal Years 1977 through 1985 and the proposed budget for Fiscal Year 1986.
- (3) Determine what significant added duties and responsibilities or authority that have been given or delegated to the respective mayors to warrant increases in their budgets from Fiscal Year 1977 to date.

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(4) And also determine other savings that will be realized as a result of the subject proposals. These areas are office spaces, equipment, vehicles, travel, etc.

I will ask for the same information whenever amendments to Article VI are put forth for adoption by the Convention. Thank you for your valuable attention.

President H. Guerrero: Thank you, Delegate Mafnas. Secretary Nabors?

Secretary Nabors: Thank you, Mr. President. There was distributed a few moments ago a report to the Convention on delegate proposals, I would like to inquire as to what is this. What is it supposed to be? Is this a committee report, or what?

President H. Guerrero: Can I call on Delegate Guerrero?

Delegate DL. Guerrero: Thank you, Mr. President. I think it's the sample format that has been distributed out which is merely a working paper from the committee itself. It will have to be accompanied by the committee's report and that should in detail more or less notifying not only the individual delegate that introduced this proposal but merely the recommendations and findings of the committee. But it has to be accompanied together with the committee's report of its findings, Mr. President.

Secretary Nabors: Thank you, Mr. President.

President H. Guerrero: We'll move on to Announcements.

#### ANNOUNCEMENTS

President H. Guerrero: Under Announcement, the Steno Pool staff again are ready to assist the Convention with its needs. Boxes have been provided in the Steno Pool section for various committees and the three delegation offices. For any typing needs such as proposals, resolutions, committee reports and recommendations, etc., must be dropped in the box for typing in the Steno Pool or to be directly forwarded for the attention of Alicia Guerrero. This would make the coordination of the workflow in the Pool more efficiently and time saving. Delegates also are asked to sign transmittal slip whenever they receive materials from the Pool. Such slip will verify that delegates or committee chairmen receive materials assigned to them. Any request or inquiry should be again directed to the attention of Alicia Guerrero.

The other announcement, the AG is going to be available after the meeting for any committee that might need their assistance. And also, Steve Woodruff is available to meet with any committee that desires his assistance. And the other thing is that Charles Calvo has been assigned to the Committee on Local Government. Any other announcements? Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I would like the Committee on Governmental Institution to meet after the session.

President H. Guerrero: Delegate Manglona?



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Chairman Manglona: Mr. President, I ask all the members of the Local Government Committee to please meet at two o'clock in this Hall.

President H. Guerrero: Chairman King?

Chairman King: Thank you, Mr. President. The Committee on Personal Rights and Natural Resources had the understanding to meet today at 4:00 p.m.

President H. Guerrero: Any other announcements? Chairman Guerrero?

Chairman DL. Guerrero: Mr. President, I would also like to announce that the Committee on Finance and Other Matters wishes to have its meeting again immediately after the adjournment of the Convention.

President H. Guerrero: Any other announcements? If none, Floor Leader Lizama?

Floor Leader Lizama: Mr. President, if there's no further announcement to allow for committee work, I move that we recess until tomorrow morning at nine o'clock.

There was a second to the motion.

President H. Guerrero: It has been moved and seconded to recess until tomorrow morning at nine o'clock. Discussions?

There being no discussion, the motion to recess until the next morning at nine o'clock was carried by voice vote.

The Convention recessed at 10:50 a.m., and to reconvene on Tuesday, June 25, 1985, at 9:00 a.m.

Respectfully submitted,

  
Delegate William B. Nabors  
Convention Secretary