

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

ELEVENTH DAY

Friday, June 28, 1985

The Second Constitutional Convention of the Northern Mariana Islands was called to order 9:54 a.m., Friday, June 28, 1985, in the Convention Hall - 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 all 24 delegates were present.

Secretary Nabors: Mr. President, all 24 delegates are present, we have a quorum to transact our business.

President H. Guerrero: We have a quorum present, so we can go on with the Order of Business. Floor Leader Lizama?

ADOPTION OF JOURNALS

Floor Leader Lizama: Mr. President, are the Fifth and Sixth Days' Journals available?

President H. Guerrero: Just a minute. Delegate Villagomez?

Delegate Villagomez: Very short, Mr. President, I just want to note for the record that all the delegates who are sitting on my left are the ones that do not smoke and they are all looked very healthy this morning. Thank you.

(Laughter)

President H. Guerrero: We should all acknowledge that with the clap of hands.

(Applause)

President H. Guerrero: Delegate Lizama, the Journals for the fifth and sixth days, the sixth day is the last page. That's the one on Sunday. There was no prelary session but there were committee meetings.

Floor Leader Lizama: Mr. President, I myself haven't read the Journals yet, can we take just a few minutes where we will suspend the Order of Business and come back later to adopt the Journals?

President H. Guerrero: If there is no objection -- Chairman Guerrero?

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Delegate DL. Guerrero: Privilege, Mr. President, before we take a recess. This is a very short comment. I would like the Convention Delegates to recognize the presence of our congressman from the House of Representatives, Congressman Pete Guerrero.

President H. Guerrero: Welcome to the Convention, Congressman Pete Guerrero.

(Applause)

President H. Guerrero: If there's no objection, we'll recess for five minutes so we can read the Journals.

Floor Leader Lizama: Thank you, Mr. President.

The Convention recessed at 9:57 a.m.

RECESS

The Convention reconvened at 10:03 a.m.

President H. Guerrero: The session is now back to order. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I move that we adopt the Fifth and Sixth Days' Journals.

Delegate Mendiola seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Fifth and Sixth Days' Journals. Discussion? Secretary Nabors?

Secretary Nabors: May I ask for a copy of the Sixth Day's Journal?

President H. Guerrero: The Sixth Day's Journal is on the last page. That's this past Sunday, and there was no plenary session. Any other discussions? Chairman Guerrero?

Chairman DL. Guerrero: Mr. President, on the second page of the Fifth Day's Journal, I would like to ask the indulgence of the delegates to strike out -- this is in regard to my remarks on the communications -- right after the "leadership of the Convention," strike out, and period after the "Convention" and then it will follow by "This is addressing to the delegates of the Convention." That was the communication regarding -- I believe that was the communication that you received on the matter of the mar-mar, if I am not mistaken.

President H. Guerrero: Yeah, the Communication No. 4.

Secretary Nabors: No objection.

President H. Guerrero: If there's no objection, so ordered. Delegate Pangelinan?

Delegate Pangelinan: Mr. President, just a point of information. Maybe we can arrange that with the Journal Clerk later. But sometimes if it's

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just a grammatical error where a sentence doesn't make sense, can we do that on the floor?

President H. Guerrero: That might be a better idea that if you have any suggestion to just inform the Journal Clerk to make corrections because sometimes it doesn't make sense. That's true.

Chairman Guerrero: No objection, Mr. President.

President H. Guerrero: There's no objection. Any more discussions?

There being no further discussion, the motion to adopt the Fifth and Sixth Days' Journals was carried by voice vote.

President H. Guerrero: The Journals for the Fifth and Sixth Days are adopted. Any committee reports?

COMMITTEE REPORTS

Committee Recommendation No. 06, from the Committee on Personal Rights and Natural Resources, recommending for adoption of Delegate Proposal No. 56-85, as amended.

President H. Guerrero: Before I call on Chairman King, I just want to make a correction in the Order of Business. Under (H), the Delegate Proposal No. 56-85 (Section 4(c), Article XI), that should go under the General Orders of the Day. Chairman King?

Chairman King: Thank you, Mr. President. I want to report or submit...

President H. Guerrero: Can you speak louder please, or get the mike closer to you?

Chairman King: I would like to submit before the Convention the report from the Committee on Personal Rights and Natural Resources, the Committee Recommendation No. 06, and therefore I would like to move for adoption of Committee Recommendation No. 06.

Delegate Tenorio seconded the motion.

President H. Guerrero: Did you move for this Committee Report? Was it seconded? I'm sorry you're not coming across that's why I'm asking that you pull the mike closer to you in the future. It has been moved and seconded to adopt the Committee Recommendation No. 06 as reported to the Convention by the Committee on Personal Rights and Natural Resources. Discussions? Secretary Nabors?

Secretary Nabors: Thank you, Mr. President. I need, I guess, a point of clarification first. It was my understanding that committee reports would be introduced or reported to the floor and there would be days lapse between the reporting of committee reports and action on them. Am I correct?

President H. Guerrero: Chairman Guerrero?

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Chairman DL. Guerrero: Mr. President, in line to what Mr. Nabors has just raised, I think we all agreed that committee report, of course, to adopt it is still in proper order. However, to place the committee report on the Order of the Day should be introduction first for its first reading, then I think we all agreed that, of course, the Convention should be allowed a day, in other words, one day later so every delegate could digest the committee's report before discussion in the Committee of the Whole. It kind of confuses me if we have to adopt this and place it under the Order of the Day to discuss it today before its first introduction. The procedure that has to be followed is that after the committee report has been reported out, it's only appropriate that the introduction of that committee's recommendation should first be addressed to the Convention.

Delegate Villagomez: Mr. President?

President H. Guerrero: Delegate Villagomez?

Delegate Villagomez: For the benefit of the leadership of this Convention, I'd like to share with you the procedure that was followed in the last Convention, the First Constitutional Convention. In that Convention, a committee report which constitutes a proposal for a provision to be included in the Constitution is read and introduced as first reading on one day. That proposal or recommendation is then placed on the calendar for the following day to be considered by the Committee of the Whole. After it is considered by the Committee of the Whole, if it is adopted, then it is referred back to the Convention for adoption after first reading. That same proposal is then scheduled for public hearing. After the public hearing, the proposal is read to the Convention on second and final reading and final vote. If it passes on second and final reading, it becomes part of the Constitution; if it doesn't pass on second and final reading, it does not become part of the Constitution. I propose that we follow the same procedure since it ascertains that the proposal would be well considered by the Convention, the Committee of the Whole, the public and becomes very well considered. Thank you.

President H. Guerrero: Thank you, Delegate Villagomez, your concerns are noted by the Chair. Delegate Ogumoro?

Delegate Ogumoro: Thank you, Mr. President. Mr. President, we do not need to spend time again to figure out how to go about on proposals and recommendations. In our Rules of Procedure we have under Rule No. 55 the order of which proposals are to be considered. We'll go by the itemize, I mean, outline that specifies what we have to take with regards to submitting recommendations. So we do not need to discuss this further. We should just use the Rules of Procedure and follow that. And if I'm in order, I would like to recommend that we proceed with the suggestion that was given by both Delegate Nabors and Delegate Guerrero. Thank you.

President H. Guerrero: Delegate Pangelinan?

Delegate Pangelinan: So I move that the Convention accepts, agrees, or adopts the committee report as presented by the Personal Rights and Natural Resources Committee.

Delegate Mafnas seconded the motion.

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Delegate Ogumoro: Information, Mr. President.

President H. Guerrero: Delegate Ogumoro?

Delegate Ogumoro: The motion that was offered by Delegate Pangelinan, I take to mean that we'll end the discussions on the motion? There was a motion already to adopt the committee report on first reading.

Delegate Pangelinan: It's just a progress report until it is placed on the General Orders of the Day.

Chairman DL. Guerrero: Clarification, Mr. President.

President H. Guerrero: Chairman Guerrero?

Chairman DL. Guerrero: I believe Delegate Pangelinan is moving to end the debate on the committee's report. Since there was a motion earlier to adopt it and it was seconded and that's when we came up for this clarification. Now I think Delegate Pangelinan would like to move to end debate or end discussion on this particular committee report.

President H. Guerrero: Delegate Pangelinan, is that your motion to end debate basically?

Delegate Pangelinan: I'm sorry, I didn't know that there was a move already to adopt the committee report.

President H. Guerrero: Secretary Nabors?

Secretary Nabors: Mr. President, I believe it's one of my responsibilities to keep track of what's going on in this meeting. The motion made by Delegate King was to adopt Proposal No. 56 and I consider that to be improper because we should only be adopting the committee report which is a subject of Delegate Pangelinan's motion that was seconded by Delegate Mafnas.

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: Mr. President, have we replaced the Floor Leader? Thank you.

Floor Leader Lizama: I have no objection, Mr. President.

President H. Guerrero: Can we clarify the two motions first? The first motion is to adopt the Committee Report. Is that correct? Chairman King, can you restate your motion?

Chairman King: Mr. President, first, I submitted the report, the recommendation of the Committee on Personal Rights and Natural Resources and at the same time, I moved for the adoption of Committee Report No. 6, and it was seconded by my colleague, Delegate Tenorio.

Secretary Nabors: I move for the previous question.

Chairman DL. Guerrero seconded the motion.

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Chairman King: Mr. President, if there's no further discussion, I move to end the debate.

President H. Guerrero: Those in favor to end debate say... You are confusing me.

Delegate Oquoro: Mr. President, I move for a brief recess.

President H. Guerrero: Wait.

(Laughter)

Delegate Villagomez: Mr. President?

President H. Guerrero: There's a motion to end debate.

Secretary Nabors: Second.

President H. Guerrero: Why do you keep on saying "second"? It's already been seconded. Delegate Villagomez?

Delegate Villagomez: This is a proposal to make an amendment to the Constitution. It's a committee's recommendation to actually change our Constitution. I would strongly recommend that we give the delegates an opportunity to discuss the reason for such recommendation by committees regarding each and every single recommendation by each committee. And I request that we don't close debate as soon as possible after a committee's recommendation to change the Constitution is made. For that reason, I think it's only proper that we open up the floor for discussions. And if it's a type of proposal for amendment that would require lengthy discussions, then we can resolve into a Committee of the Whole and have a thorough discussion on the proposed change for the Constitution. Thank you.

President H. Guerrero: Delegate Villagomez, the motion to end debate is not debatable, so we still need to vote on that one.

Delegate Villagomez: I realize that it is not debatable. I also realize that the President has the authority not to entertain a motion that he feels is not timely or would deprive the assembly of additional, necessary discussions.

President H. Guerrero: I don't think that's true when there is a motion to end debate.

As a result of the voice vote, the Chair requested for a showing of hands vote of 8 for and 10 against the motion to end debate, and therefore the motion was defeated.

Secretary Nabors: Point of information, Mr. President.

President H. Guerrero: The motion to end debate is defeated. Secretary Nabors?

Secretary Nabors: Thank you, Mr. President. It was my understanding and we have just gone over this once that committee reports should be made and

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discussions on the merits would be tomorrow, and I'm not prepared to discuss this today. So please clarify.

Delegate Villagomez: That was not very clear. One point is, that has to be made clear by the Chair that discussions on this particular proposal for amendment will be calendared for tomorrow. If that is the case, then we don't need any debate today but that was not made clear.

President H. Guerrero: Chairman Guerrero?

Chairman DL. Guerrero: Mr. President, may I ask this question? Is the committee ready to debate on this particular amendment, proposed amendment today? Is that the intent of the committee? If so, then I think it's only appropriate, as I said earlier, that such recommendation from the committee amending the Constitution should be introduced first to the Convention as its first reading and then we can place this particular issue for tomorrow's discussion on the Order of the Day for the Committee of the Whole. Otherwise, if the committee is not ready to introduce this and I think I agree with Delegate Villagomez that this particular committee or the committee's report may not necessarily be entertained today.

President H. Guerrero: Thank you, Chairman Guerrero. I think for point of clarification, the report is received by the Chair as well as the Convention and tomorrow it will be placed under the General Orders of the Day as well as debate in the Committee as a Whole. Delegate Villanueva?

Delegate Villanueva: Mr. President, two days ago I asked for the Floor Leader to let us know if the procedure we're adopting is not in conflict with the Rules of the Convention and I also asked the Chair to put this procedure down in writing. If that was done, I don't think we have to waste precious time to keep on going over and over and over until we roll over. Thank you, Mr. President.

President H. Guerrero: Thank you for your generous comment, Delegate Villanueva. Basically, the Chair is agreeing with the recommendation of Delegate Villagomez in terms of probable procedures that we need to follow. At least that clarified a lot of things. And the Chair also makes the agenda with inputs from the Committee on Organization and Procedures. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I move that we end debate and we adopt the recommendation that was suggested by Delegate Villagomez which again was repeated or restated by the President.

Delegate Mendiola seconded the motion.

President H. Guerrero: It has been moved and seconded to end debate.

The motion to end the debate was carried by voice vote.

President H. Guerrero: We need to vote on the report.

There being no further discussion, the motion to adopt the Committee Recommendation No. 06 was carried by voice vote.

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President H. Guerrero: The motion is carried to adopt the Committee's report. Chairman King?

Chairman King: Thank you, Mr. President. I would like to ask the Chair to place this Committee Recommendation for tomorrow's Order of Business under the General Order of the Day for second and final reading.

There was a second to the motion.

Delegate Pangelinan: Mr. President, I think that once we already adopted the report and accepted by the Convention, then that becomes the property of the Convention and the committee discharged its responsibility on that report already.

President H. Guerrero: Chairman King, for your information, it will be put under the General Orders of the Day tomorrow. Once that is adopted, it will be put on the second and final...? Excuse me?

Chairman King: Point of information, Mr. President.

President H. Guerrero: Alright. Any other committee reports? Chairman Guerrero?

Chairman DL. Guerrero: Mr. President, this is just another clarification. This is not a committee report. As I stated earlier, this particular recommendation must be introduced today in order for this Convention to take up tomorrow in the Order of the Day; otherwise, the Committee Report No. 06 could not be taken up without its introduction.

President H. Guerrero: It is already introduced. We already adopted it.

Chairman DL. Guerrero: That was the adoption of the committee's report. It has to be under the agenda for introduction.

President H. Guerrero: The first reading has already been made when that person introduced that proposal. That's the first reading. Isn't it?

Chairman DL. Guerrero: I'm sorry, Mr. President, I disagree with that because if a delegate introduces a delegate proposal that does not constitute first reading. It has to be assigned to the appropriate committee, the committee has to come with its recommendation of its finding on the delegate proposal and that's why we just adopted the committee's report. To make it simple, you know, and make this in proper order, after the adoption of the committee's report, it has to be introduced for its first reading. Then in tomorrow's agenda, it should be placed on the Order of the Day for deliberation during the Committee of the Whole.

President H. Guerrero: I don't agree with that because according to Rule 55(a), it says: "Introduction, first reading by title." That is already considered as first reading.

Chairman DL. Guerrero: So just in case we don't have to have first reading from the committee's recommendation?

President H. Guerrero: No.

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Chairman DL Guerrero: So I'm sorry. If that's the case, then what was practiced in the first Constitutional Convention is not consistent with this. I would prefer you read the verbatim journals of the first Con-Con.

President H. Guerrero: Can you at least refer to page 27 of the Rules of Procedure?

Delegate Mafnas: Mr. President?

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: This is important. I suggest that we take five minutes recess so that you can put the minds together. I move.

Delegate Villanueva seconded the motion.

President H. Guerrero: If there is no objection, we'll take five minutes recess.

The Convention recessed at 10:38 a.m.

RECESS

The Convention reconvened at 10:47 a.m.

President H. Guerrero: The Convention is back to order. Secretary Nabors?

Secretary Nabors: Thank you, Mr. President. I would like to recommend, if there is no objection, that the Committee Report being received by the Convention be a property of the Convention, that it will be placed on General Orders of the Day, in line with Rule 55, and that we, the Committee on Organization and Procedures, meet and delineate, as was requested by Delegate Villanueva, the procedures that are to be followed concerning handling of all measures.

President H. Guerrero: Discussions? Was that a suggestion, or were you making a motion?

Secretary Nabors: I so move, Mr. President, that we receive the committee report as a property of the Convention, place it on the General Orders of the Day for discussions tomorrow and that the Committee on Organization meet to discuss Rule 55 and delineate the procedures to be followed thereunder for dissemination to all the delegates.

Delegate Villanueva seconded the motion.

President H. Guerrero: It has been moved and seconded. Discussions?

There being no discussion, the motion offered by Secretary Nabors was carried by voice vote.

President H. Guerrero: Any other committee reports? Chairman Manglona?

Chairman Manglona: Thank you, Mr. President. There's no committee's recommendation this morning but the Committee on Local Government would

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like to report that public hearing presided by Vice-Chairman William Torres was held yesterday at 4:00 p.m. with the Directors of Public Works, Public Health, Community and Cultural Affairs, Natural Resources, and the Mayor of Saipan and his assistants. We noted the witnesses concerned of unpreparedness because of short notices for the hearing, nonetheless the Committee felt that the hearing was well worth it and the information gathered were useful in our deliberations on the proposals. Mr. President, a written report will be submitted at a later date by the Committee on Local Government. Thank you.

President H. Guerrero: Thank you, Chairman Manglona. Any other committee reports, Chairman Lizama?

Floor Leader Lizama: Mr. President, the Committee on Governmental Institution had a public hearing yesterday and it was a very successful public hearing. I believe that there also has been an understanding that two from the Committee on Governmental Institution would be going to Rota and the persons that will be going to Rota would be Delegate Calvo and Delegate Kaipat. Two persons also will be going to Tinian. Delegate Cing will be going there, and I recommend that Delegate Igisomar would go also to Tinian.

President H. Guerrero: Any other committee reports? If none, any proposals to be introduced? Delegate Torres?

INTRODUCTION OF PROPOSALS AND REFERRALS

Delegate Torres: Thank you, Mr. President. I have one proposal to introduce this morning, co-sponsored by several others, a proposal "not to revamp but simply to improve or amend Section 13 of Article III of the Northern Marianas Constitution relative to the election of members to the Commonwealth State Board of Education." Thank you.

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

Delegate Cing: Thank you, Mr. President. I have one proposal here to introduce, an amendment proposal, introduced by myself and my colleague from Saipan, Delegate Mafnas, and my colleague from Rota, Delegate Calvo, "to amend Section 17(b) of Article III of the Northern Mariana Islands Constitution." Thank you.

President H. Guerrero: Thank you, Delegate Cing? Any other proposals? Delegate Mafnas?

Delegate Mafnas: Thank you, Mr. President. I have two proposals here, introduced by the original minority and majority of ten and the new recruits, Delegate Cing and Delegate Limes. One is "to add a new Section 4 to Article VII of the Northern Marianas Constitution relating to voting after a person's failure to vote." The second proposal, Mr. President, is "to add a new Section 1(a) and (b) to the proposed Article on Civil Service Commission relating to Retirement Systems." Thank you.

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

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Delegate Kaipat: Thank you, Mr. President, I have two proposals here to submit this morning. First, a proposal "to amend Section 1, Article XIV relevant to natural resources; to establish an exclusive right of the Commonwealth of Northern Mariana Islands to all biological inorganic and organic matters in the waters and all submerged land within a 200 mile radius around the Commonwealth of the Northern Mariana Islands." Proposal two is "to petition United Nations General Assembly to take appropriate actions to obtain a prompt termination by the United Nations Security Council of the Trusteeship Agreement." That's all, Mr. President.

President H. Guerrero: Thank you, Delegate Kaipat. Any other proposals? If none, you have in front of you the referral sheet starting with Delegate Proposal Nos. 201-85 all the way down to 213-85. Chairman King recommended that Delegate Proposal 133-85 be jointly referred to the Committee on Personal Rights and Natural Resources as well as the Committee on Governmental Institutions.

(See attached Referral Sheet on Delegate Proposal Nos. 201-85 to 213-85.)

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: Delegate Mendiola?

Delegate Mendiola: Mr. President, just a suggestion, I'd like to ask the indulgence of each Chairman of each committee that any testimony received by witnesses during public hearing should be provided to all delegates for debate purposes.

President H. Guerrero: Delegate Cing?

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Delegate Cing: Thank you, Mr. President. This is just a simple clarification regarding a notice of public hearing from the Committee on Personal Rights and Natural Resources. I have in front of me a notice of two public hearings that will be held on Rota and Tinian on the same date. Thank you.

President H. Guerrero: I call on Chairman King.

Chairman King: Thank you, Mr. President. We scheduled the public hearing on the same date, same time because my Committee members will not be going on the same time to Rota or Tinian. We splitted into two groups so that half of the members will be going to Rota and half will be going to Tinian to conduct the same issue or same hearing the same day.

President H. Guerrero: Does that answer your question, Delegate Cing?

Delegate Cing: Yes, Mr. President, thank you.

President H. Guerrero: Any other miscellaneous business? Delegate Torres?

Delegate Torres: Thank you, Mr. President. I have a question and the question is, does a committee report or recommendation, if you will, constitute first reading as understood in the legislative arena?

President H. Guerrero: I don't know the answer but I'm sure that the Committee on Organization and Procedures would take this up. Can we get back to your question later on? Delegate Mafnas?

Delegate Mafnas: Thank you, Mr. President. I have concerns here. I would like to suggest that whenever we get to letter (F) on the Order of Business, if the standing committees do not have written reports then they just say "no report" rather than, you know, take our time listening to progress reports. The second concern that I have, Mr. President, is the extension of time. According to your referral sheet, we have 213 proposals. I wonder whether your Committee on Finance and Other Matters is having a problem in reporting on the resolution requesting the Legislature to amend Public Law 4-30 to extend the 30 days of the Convention. If your Committee is faced with a dilemma, then we would like to hear from the Chairman. The other concern that I have, Mr. President, is Proposal No. 56. I am concerned that your Committee on Personal Rights and Natural Resources is reporting for adoption of Proposal No. 56. I would like the indulgence of your Committee to review all identical proposals with respect to Article XI of our Constitution because your Committee on Governmental Institutions also has a proposal affecting Article XI. And the way it is, as I can see, that we will be adopting proposals on piecemeal basis and this will definitely delay our time. I am afraid that tomorrow perhaps Proposal No. 56, Committee Report No. 06, will have to be recommended to your Committee on Personal Rights and Natural Resources because of the series of concerns that I have, and I would like to alert the Committee that on subsection (d), I would like tomorrow to be informed as to who will be responsible to hold the election, how is the election going to be funded, what will happen, or rather excuse me. On subsection (e), I am concerned that the Executive Director who will be elected by the people would be removed by affirmative vote of the five directors who will be

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appointed by the Governor. I believe that removal of elected directors should be, or authority to remove the elected directors should be given to the representatives of the people and that is the Legislature.

Delegate Villagomez: Mr. President, may I respectfully interject at this time, Delegate Mafnas?

President H. Guerrero: Delegate Mafnas, would you yield to Delegate Villagomez?

Delegate Mafnas: I am almost finished, one more, then I'll yield to him.

President H. Guerrero: Go on.

Delegate Mafnas: I am also concerned on subsection (h) about the employees under the Lands and Survey Division of the Natural Resources. What will happen to them? Will they be transferred to HPLC? And the last concern is, what will happen if there is a vacancy in the board of directors? I reviewed the article and these concerns are not addressed. Thank you.

President H. Guerrero: Thank you, Delegate Mafnas. Your first concern is that committee members, I mean, committee chairmen instead of making progress report under Committee Reports that if they don't have any report to just say "no report" and go on with the Order of Business and probably bring up any progress report under Miscellaneous. I believe that's a good suggestion and I will recommend that the chairmen would follow that suggestion also. Can I call on Chairman Guerrero in reference to the resolutions that Delegate Mafnas made reference to?

Chairman DL. Guerrero: Thank you, Mr. President. The concern of Delegate Mafnas regarding the two resolutions, Mr. President, the Committee on Finance and Other Matters addressed the particular issues to the Attorney General for legal opinions or comments on the two resolutions but as of this date, the Chairman of the Committee on Finance and Other Matters has not received any legal opinion. So that's the status of that concern. Now if the delegates of this Convention feel it is necessary that we must extend the session of this Convention, then I think we should address this in the next few days from today. But as of today, Mr. President, I have not received any comments or legal opinion from the AG's Office.

President H. Guerrero: Can I call on the representative of the AG regarding when can we expect the legal opinion to the request by the Chairman of Finance and Other Matters Committee in reference to the resolution?

AG Representative: Yes, Mr. President, that particular assignment was given to Tim Bellas to

President H. Guerrero: Delegate Villagomez?

Delegate Villagomez: I am prepared to vote in favor of the resolution and let the Legislature worry about the legality of the resolution.

President H. Guerrero: Delegate Mafnas?

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Delegate Mafnas: I am ready too.

President H. Guerrero: Delegate Pangelinan?

Delegate Pangelinan: I'm ready too and to discuss it.

President H. Guerrero: Delegate Nabors?

Delegate Nabors: I'm ready too.

President H. Guerrero: Chairman Guerrero, can I get down and can I have comments from you?

Chairman DL. Guerrero: Thank you, Mr. President. The Committee has no problem entertaining the resolution, but since we are cautious of the decision of this Convention that's why we have asked the AG's Office to comment. Now if the delegates of this Convention are willing to take up the extension of this Convention in order to extend it for additional 30 days, then the Committee is ready to report it out in tomorrow's session.

President H. Guerrero: Can this matter be brought up at tomorrow's Order of Business? Yes, Delegate Mafnas?

Delegate Mafnas: May I ask the President to order the Chairman to report it out tomorrow for action? Thank you.

President H. Guerrero: Before I call on Chairman Guerrero, Delegate Pangelinan?

Delegate Pangelinan: Mr. President, I think it's very important that we discuss this without waiting for the legal opinion. I, for one, decided to run for this Convention because I want to dedicate my time and my hours from June 18 to July 17, and that's it. It is important that we get the opinion of each delegate whether they are willing to extend that time.

President H. Guerrero: Thank you, Delegate Pangelinan. Delegate Guerrero, can I expect something from you tomorrow instead of demand?

Chairman DL. Guerrero: Yes, Mr. President, rest assured that your Committee on Finance and Other Matters will take that up and report it to the Convention by tomorrow's session.

President H. Guerrero: I'll take your word for it. Any other unfinished business, I mean, miscellaneous business? Delegate Villagomez?

Delegate Villagomez: I will yield to Delegate Igitol until he finishes.

President H. Guerrero: Delegate Igitol, you have the floor.

Delegate Igitol: Mr. President, I'll take this up at the very last of the miscellaneous business.

President H. Guerrero: You mean under Announcements?

Delegate Igitol: No, the last speaker.

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President H. Guerrero: We are almost to the last.

Delegate Igitol: No, I'll yield to him.

Delegate Villagomez: He's yielding back to me.

President H. Guerrero: Okay, Delegate Villagomez?

Delegate Villagomez: Thank you, Mr. President. There is a proposal before the Convention and specifically in the Committee on Personal Rights and Natural Resources to amend the Preamble of the Constitution to specifically state that we have exercised our sovereign rights of self-government and to state that we have a self-governing Commonwealth. I would like to share my thoughts with respect to that conclusion made by the person proposing that amendment that we have a self-governing Commonwealth existing at this time. My thought is that we don't have a self-governing Commonwealth yet, however, we are working on it. This is my point. Under the Amendment 14 of the Constitution, the CNMI is declared as if it is one of the States of the United States and thereby all U.S. citizens from the United States are granted the same rights, privileges and immunities in the CNMI as if these were part of the United States. At the same time, Amendment 14 of the Constitution states that all persons born in the United States or naturalized in the United States are citizens of the United States, or the State where they reside. If the CNMI is to be considered as part of the United States and under Section 501 of the Covenant it is declared to be part of the United States, then citizens of the United States should be declared U.S. citizens as of the effective date of that provision which would be January 9, 1978. That has not been interpreted to be that way by the United States. The United States takes the position that we are still Trust Territory citizens and we do not become full-fledged U.S. citizens until the termination of the Trusteeship. So what is being done here is they are making, for purposes of United States citizens from the United States, we are State. They have every right, privilege, and immunity available to U.S. citizens in the United States while they are here in the CNMI. At the same time, they are not according the citizens of the CNMI the same rights, privileges and immunities in the United States. They treat us as Trust Territory citizens. And I have personal experiences to that effect. At this time in our government development, we don't completely run our government. For example, there are areas in the government where we don't have complete control or complete determination as to how our laws are made or how our laws are interpreted or enforced. Let's take, for example, the Legislature. Although we can say that the Legislature is totally self-governing because we have our own people as elected leaders there, you can see that the people who actually advised the legislators are not citizens. Those are the people who determine how the laws are to be drafted, what language is to be used in the laws, how letters are to be drafted and what languages are to be used therein. In our court system, we have nonlocal people, we also have one local person and we are very glad with that. And in the departments, we still have nonlocal people who are in control of the departments. My position is, until we have our own people completely in control and completely making complete determinations how our laws are made, how our laws are enforced and how our laws are interpreted, we don't have self-government. It is my dream that in the near future as we continue to develop, as we push our children to obtain as much education as possible and experience in all these areas that we

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will become a self-government. I hope we will all put in as much as we can in our daily life towards that goal so that someday we can say, we are totally self-governing. Thank you.

(Applause)

President H. Guerrero: Thank you for your remarks, Delegate Villagomez. Any more miscellaneous business? Delegate Manglona?

Delegate Manglona: Mr. President, if I understand correctly Delegate Mafnas, then I have the same concern. This Committee Recommendation No. 06 is a recommendation for an amendment on a certain section of the Constitution. Do I take it that this amendment will stand by itself in the election or in the voting of this election? Or will it come together as a package with some other amendments under the same article?

President H. Guerrero: Delegate Villagomez?

Delegate Villagomez: Mr. President, if I may respond. Of course, as you know, not all the proposals have been submitted. We are still receiving proposals, and so we cannot at this point say that this will be the only change to that particular article in the Constitution. There may be additional proposals by the same committee for additional amendments to the same article in the Constitution. We can probably be certain what those amendments will be 10 days before the end of the Convention because by that time, all of the proposals will have been in, the committee will have gone through all of the proposals regarding that article and we would know whether there will be additional amendments. This is the first amendment that has been approved by the committee that they would like for the Convention to consider.

President H. Guerrero: Delegate Manglona?

Chairman Manglona: So, can I say that after the adoption of this amendment in the future this Convention will still free to gather an amendment package so that it will pose it to the public as one amendment?

President H. Guerrero: Delegate Calvo?

Delegate Calvo: Mr. President, if Chairman Manglona can restate that question in mind because I don't understand the question.

Chairman Manglona: Okay, we have here before us Committee Recommendation No. 06, a proposal to amend a certain section and a certain article in the Constitution. This coming election we are going to be posing amendments to our people and I would like to know whether this amendment will stand by itself, or whether the floor is free at a later date during this Convention to gather all these individual amendments and form them into a package.

Delegate Calvo: Mr. President, I feel that the Convention would address that at the termination time how we are going to pose this out to the voting public. I feel at this time that it's very premature to consider whether we will go by proposals or by sections or articles of the Constitution or a single package deal. I feel we should first entertain all the proposals and dispose of them, and upon nearing the termination of the

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Convention, we should then address how we would perform this and present it to the people for purposes of election. Thank you, Mr. President.

President H. Guerrero: Thank you, Delegate Calvo. I'll call on Delegate Mafnas first.

Delegate Mafnas: If I understand Delegate Manglona's concern is whether or not we will still be able to entertain amendments relative to the article under Proposal No. 56.

Delegate Manglona: My question is simply, are we free to take this Recommendation No. 06 together with the other recommendations at a later date in this Convention and form one package or leave it as an individual package?

President H. Guerrero: Delegate Villagomez?

Delegate Villagomez: Mr. President, the answer is found in Section 19(c)(3) of Public Law 4-30. This section states: "The text of each proposed amendment shall be preceded with a question, in the English, Chamorro, or Carolinian language as appropriate, posed substantially as follows: Do you approve the following amendment to the Constitution of the Commonwealth of the Northern Mariana Islands, as proposed by the 1985 Constitutional Convention?" My understanding of that is, for each amendment that we have in the Constitution this question will be posed to the electorate and they have to vote "yes" or "no" to each of the separate amendments to the Constitution. So if this is a separate amendment to the Constitution, then this would have to be preceded by this question as one amendment. And all other amendments in the Constitution will be preceded by the same question.

Delegate Manglona: Well, I understand that. My only question is, at a later date, is the committee that is recommending this free to add another amendment together with Recommendation No. 06 and pose it with that question under the public law?

President H. Guerrero: Delegate Pangelinan?

Delegate Pangelinan: I think I can answer Delegate Manglona's question. There is nothing that prevents us from coming back after the deliberations of the Committee as a whole to make amendments to that committee's report on the provision for amendment.

Chairman Manglona: Well, I'm just asking whether we are free at a later date because tomorrow we will be adopting, if the delegates desire, this proposal and I just want to be clear whether if we adopt this tomorrow, this automatically becomes an amendment question in the election. That is all I want to clarify. Thank you.

President H. Guerrero: Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I'm quite hesitant to speak on Proposal No. 56 for the reason that I am the introducer of this proposal. Now the Committee Recommendation No. 06 seems to be quite unclear as to what really is its purpose. I think that caused some confusions, and Delegate Mafnas seems to be in that problem as well because as he had

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mentioned or raised some of his concerns to Proposal No. 56 with respect to what has been proposed. Now, the way I read Committee Recommendation No. 06 is that we're really not adopting Proposal No. 56 in its entirety. What the committee has done is that it simply looked into Section 4(c) of Article XI and simply made an addendum to that section and that is to have the recommended language to that Article XI, Section 4(c). Now, I am a little bit disappointed because the intent really of Proposal No. 56 is not in line with this type of addendum. But what can we say when....

President H. Guerrero: Can I interject? This matter will be brought up tomorrow in the General Orders of the Day. So I suggest if you will curtail any discussions on this until tomorrow.

Floor Leader Lizama: I agree, Mr. President, and this should be a matter of the Committee on Organization and Procedures to take up so that there will be no more confusions when committee recommendations come before the delegates.

President H. Guerrero: Delegate Reyes?

Delegate Reyes: Thank you, Mr. President. When it comes up for deliberation tomorrow, I think the committee then will have the explanation as to how they arrived to the certain recommendations or committee's proposal, and until such time we are not ready to go line by line or section by section. Thank you.

President H. Guerrero: Delegate Calvo?

Delegate Calvo: Mr. President, I want to share some concerns with the Convention. I sat in two public hearings yesterday and I was sad that the government prime witnesses that accorded the Convention's substantive committees failed to come up with deliberation or written testimonies and they all agreed that it was a form of short notices to their concern and I feel that we must ask the department heads or any prime witnesses to please bear with us the time. And if they get the message from the committee chairmen on any proposals that they should take that up seriously and try to act expeditiously on this so we can share their concern over written testimonies. I felt strongly and I cannot agree that notice is short. I would ask that if they are listening at this point in time that they would to accord priority to this Convention for the short time notices or short timing of its existence. Thank you, Mr. President.

President H. Guerrero: Thank you, Delegate Calvo. Just for the information of the chairmen. That's why we recommend that at least inform the party or the witnesses two days in advance so they will have a chance to respond. With four committees conducting public hearings, you know, you probably keep on calling the same people over and over in short instances. Give them some time to prepare their own testimonies. Any other miscellaneous business? If none, we are on announcements. Any announcements? Chairman Guerrero?

ANNOUNCEMENTS

Chairman DL. Guerrero: Mr. President, your Committee on Finance and Other Matters will be conducting a public hearing today at 3:00 p.m. on eight

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delegate proposals and it will be down at the Senate Chamber. Immediately after adjournment, the Committee on Finance and Other Matters would like to meet also to discuss other pending matters before the committee.

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

Floor Leader Lizama: Mr. President, the Committee on Governmental Institutions will have an informal meeting with some individuals that were asked to meet with the committee this afternoon at 2:30.

President H. Guerrero: Chairman Manglona?

Chairman Manglona: Mr. President, the Committee on Local Government would like to announce that a public hearing will be held on Rota this Saturday and another hearing will be held on Tinian this Monday. I would like also to announce to the members of this committee that we will have a committee meeting at two o'clock this afternoon in this Hall. Thank you.

President H. Guerrero: Chairman King?

Chairman King: Thank you, Mr. President. I would like to announce to the members of the Committee on Personal Rights and Natural Resources to meet today at two o'clock at the Rota Delegation's Office down there.

President H. Guerrero: Thank you, Chairman King. Any other announcements? If none, Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I move that we adjourn until tomorrow morning at 9:30.

Secretary Nabors seconded the motion.

President H. Guerrero: It has been moved and seconded to adjourn until tomorrow morning at 9:30. Discussions?

Chairman Manglona: Can we make that at 9:00 a.m. please because some of us will probably be going to Rota, if possible?

Chairman Guerrero: As long as we have quorum, I believe we can go ahead at 9:30 a.m.

Delegate Mafnas: Let's vote.

The motion to adjourn and to meet the next day at 9:30 a.m. was carried by voice vote.

The Convention adjourned at 11:30 a.m. and to reconvene on Saturday, June 29, 1985, at 9:30 a.m.

Respectfully submitted,


Delegate William H. Nabors
Convention Secretary