



Office of the Public Auditor
Commonwealth of the Northern Mariana Islands

P.O. Box 1399
 Saipan, CM 96950

Tel: 6481-2
 Cable Address:
 PubAud NMI Saipan

July 1, 1985

Committee on Finance and Other Matters
 Second Northern Marianas
 Constitutional Convention
 Saipan, CM 96950

Re: Proposed Amendments Affecting the Office of the Public Auditor

Dear Committee Members:

I hereby submit my testimony on the following amendments as proposed:

<u>NUMBER</u>	<u>PROPOSAL</u>
83-85	To require the election of the Public Auditor.
50-85	To amend Section 12 of Article II relating to the appointment of a temporary Public Auditor.
104-85	To amend Section 12 of Article III of the Constitution relating to vacancy in the Office of the Public Auditor.

83-85 -----
 I do not support this amendment.

First and foremost, the Public Auditor, and all employees of the Office of the Public Auditor, must be independent of all branches of government and must remain impartial and non-partisan, in order to carry out the audit responsibility as mandated by the Constitution of the CNMI. In light of the political realities in this Commonwealth, a

1)

constitutional requirement to elect the Public Auditor essentially places the candidate in a posture of partisanship. As such, this proposal opens avenues and motives to nullify an independent auditing function. For this reason, I do not support proposal 83-85.

50-85

I have no objection to this proposal.

104-85

I do not support line 18 which states "Such appointments shall not exceed ninety (90) days."

Although, it is crucial to the Office of the Public Auditor to have a permanent appointment as expeditiously as possible, the state of the auditing profession in the Commonwealth is such that it might not be possible to maintain the temporary appointment for 90 days only.. It is common knowledge that, for the most part, the appointment for the position will more likely be from outside the Commonwealth. If so, constitutional restriction on the term of the temporary appointment may be administratively impossible to enforce. As time changes, and the state of the auditing profession in the Commonwealth improves, statutory restrictions on the term of temporary appointments may be imposed.

In addition to my testimony on the above proposals, I beg to offer the following insertion:

"The Public Auditor and his representatives must carry out their auditing responsibilities in an independent and non-partisan manner." 190

Thank you for allowing me to submit this testimony.

Sincerely,



Rex I. Palacios
Public Auditor, CNMI

RIP.dq
cc: OF:RF:CCF

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