

SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION

SAIPAN, CM 96950

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REPORT TO THE CONVENTION BY THE  
COMMITTEE ON GOVERNMENTAL INSTITUTIONS

Subject: Committee Recommendation No. \_\_\_\_\_

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The Committee on Governmental Institutions recommends that the Convention adopt the attached Constitutional amendment with respect to the Resident Representative to the United States.

The Committee's recommended Constitutional amendment provides for the appointment of the Resident Representative for a term of 4 years until the Commonwealth of the Northern Mariana Islands is given a non-voting seat in the United States Congress.

If the Commonwealth of the Northern Mariana Islands is given a non-voting delegate status in the United States Congress, the Resident Representative will be elected for a term of two years.

The Committee's recommended Constitutional amendment is not in conflict with the Covenant. The advantages of having an appointed Resident Representative far outweigh the disadvantages.

The duties of the Resident Representative are provided for under Public Law 3-92 as mandated by Section 1 of Article V of the Northern Marianas Constitution. Section 2 of Public Law 3-92 states, in part the following duties:

"(c) The Representative shall represent the people and Government of the Commonwealth on a full-time basis before the Congress of the United States and the committees and subcommittees thereof, and before the various departments and agencies of the Federal Government, the governments of states within the United States, and other organizations, public and private, on all matters pertaining to the Commonwealth, and shall actively and fully advocate all programs and policies adopted by the Commonwealth. The Office shall act as a liaison office in the District of Columbia for all official and unofficial matters pertaining to the public welfare of the Commonwealth.

(d) In addition to his other duties and responsibilities the Representative shall coordinate all activities of the Commonwealth Government..... The Representative may join and participate on nonpartisan basis..... The Representative, within budgetary appropriations for such purpose, may attend conferences of national and international....."

(e) It is the intent of this subsection to assure effective coordination in all congressional testimony.....

(f) .... (not related).....

(g) In the event that the Commonwealth....., the Representative may perform such assignment when so designated by the Governor or by the Legislature..... (emphasis added)

It is clear from the statutory duties that the primary function of the Resident Representative is to coordinate the activities and programs of the Commonwealth Government. The Committee feels that the programs and policies of the Commonwealth Government will be strengthened if the Resident Representative is appointed.

The advantages and disadvantages for having an appointed Resident Representative are as follows:

Advantages:

1. The Resident Representative will be more responsive to adopting and carrying out the policies of the Commonwealth Government because he is appointed and may be removed by the legislature for failure to perform his duties;
2. Because he serves under the Chief Executive, the policies and activities of the Commonwealth Government will be better coordinated;
3. The Resident Representative will serve for a term of four years, concurrent with the Chief Executive;
4. The Resident Representative does not have to be elected every two years. The Commonwealth will be able to maintain continuity better than if the position is elected.

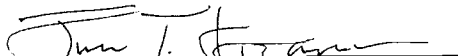
Disadvantages:

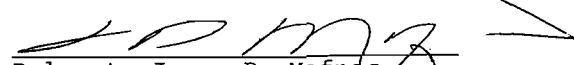
1. The Chief Executive and the Legislature will decide who is going to be the Resident Representative through the appointment and confirmation processes.
2. The United States Congress may get the impression that the people of the Commonwealth are not strongly pushing for a non-voting membership in the United States Congress.

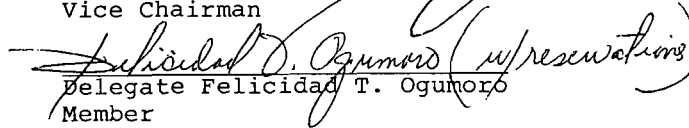
The Committee considered delegate Proposals Nos. 12-85, 29-85, 43-85, 67-85, 71-85, 143-85, 185-85, and 190-85.

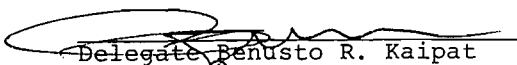
The Committee strongly urges all delegates to support the recommended Constitutional amendment.

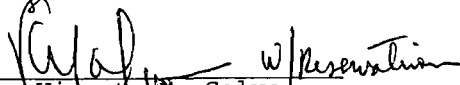
Respectfully submitted,

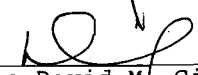
  
Delegate Juan T. Dizama, Esq.  
Chairman

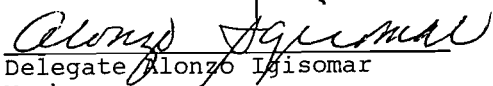
  
Delegate Jesus P. Mafnas  
Vice Chairman

  
Delegate Felicidad T. Ogunoro (w/reservations)  
Member

  
Delegate Benusto R. Kaipat  
Member

  
Delegate Vicente M. Calvo (w/reservation)  
Member

  
Delegate David M. Cing  
Member

  
Delegate Alonzo Ijisomar  
Member

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A PROPOSED CONSTITUTIONAL AMENDMENT

To delete Article V in its entirety; and to add a new Section 20 and Section 21 to Article III of the Northern Marianas Constitution relating to Resident Representative to the United States.

BE IT ADOPTED BY THE SECOND CONSTITUTIONAL CONVENTION:

Upon ratification pursuant to Section 5 of Article XVIII of the Commonwealth of the Northern Mariana Islands Constitution and Public Law No. 4-30, the Constitution of the Commonwealth of the Northern Mariana Islands is amended to read as follows:

1 Effective upon ratification, Article V of the Northern Marianas Constitution  
2 is hereby deleted in its entirety and a new Sections 20 and 21 is hereby  
3 added to Article III to read:

4 "Section 20. Resident Representative to the United States. A  
5 resident representative to the United States shall be appointed by  
6 the Governor for a period of four (4) years to represent the  
7 Commonwealth in the United States and to perform those related  
8 duties provided by law with the advice and consent of the  
9 Legislature. The Governor shall provide a certification of the  
10 appointment upon confirmation by the Legislature to the United  
11 States Department of State.

12 "(a). Annual Report. The resident representative shall  
13 submit a written report by the second Monday of January of  
14 each year to the governor and legislature on the resident  
15 representative's official activities during the preceding year  
16 and matters requiring the attention of the government or  
17 people of the Commonwealth.

18 "(b). Compensation. The resident representative shall receive  
19 an annual salary and reasonable allowance for expenses provided  
20 by law. The salary may not be changed during a term of office.

the office of the

1 resident representative to the United States, the governor shall  
2 appoint a successor with the advice and consent of the legislature.

3 "(d). Removal. The resident representative may be removed only  
4 for cause and by the affirmative vote of simple majority of the  
5 members of each house of the legislature."

6 "Section 21. Election of Resident Representative to the United States.

7 If the Northern Marianas is given a non-voting delegate status in the  
8 Congress of the United States, the resident representative shall be  
9 elected for a term of two years."

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COMMITTEE ON GOVERNMENTAL INSTITUTIONS

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