

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

TWENTY-THIRD DAY

Wednesday, July 10, 1985

The Second Constitutional Convention of the Northern Mariana Islands was called to order at 2:27 p.m., Wednesday, July 10, 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 or meditation was observed.

The Convention Secretary called the roll, and all 24 delegates were present.

Secretary Nabors: Mr. President, there are 24 delegates present.

President H. Guerrero: We have a quorum to conduct the Order of Business. Floor Leader Lizama?

ADOPTION OF JOURNALS

Floor Leader Lizama: Mr. President, we don't have the journals. Do we have the Summary Journal?

President H. Guerrero: You should have it. It's the second one.

Delegate Mafnas: I move for its adoption.

Delegate Nabors seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Summary Journal for Tuesday, July 9, 1985. Discussions?

There being no discussion, the motion to adopt the Summary Journal for Tuesday, July 9, 1985, was carried by voice vote.

COMMUNICATIONS

Comm. No. 9, from the Chairman of the Civil Service Commission, re eligibility for overtime compensation of accepted and ungraded employees of the Constitutional Convention.

Legal Opinion No. 27, from Mr. Eric S. Smith, Assistant Attorney General, re vested rights gained by an alien who has been permitted to vote in an election and related issues.

Legal Opinion No. 28, from Mr. Eric S. Smith, Assistant Attorney General, re submission of budget by the mayor of the island to the Legislature.

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

Legal Opinion No. 29, from Mr. Eric S. Smith, Assistant Attorney General, re Delegate Proposal No. 227-85 regarding voting in prior two elections as a qualification for office.

Legal Opinion No. 30, from Mr. Joel J. Bergsma, Chief Legal Counsel, House of Representatives, re Delegate Proposal Nos. 51-85, 52-85 and 211-85 regarding veto authority.

Legal Opinion No. 31, from Mr. Eric S. Smith, Assistant Attorney General, re assignment of legal opinion request on abortion to Mr. David Price, Governor's Special Legal Advisor.

Comm. No. 10, a copy of Governor Pedro P. Tenorio's letter to the Legislature re Public Law No. 4-45 (Nuclear and Chemical Free Zone).

Comm. No. 11, a copy of Governor Pedro P. Tenorio's letter to the Legislature re Public Law No. 3-42 (Nuclear and Chemical Free Zone).

President H. Guerrero: In front of you are numerous communications. One of them is a copy of the letter we received from the Chairman of the Civil Service Commission relative to eligibility for overtime compensation of accepted and ungraded employees of the Con Con, as well as the government as a whole, that were assigned to the Convention. And you have five legal opinions, and also Communication No. 10 in reference to Public Law 4-45 (Nuclear and Chemical Free Zone) and Communication No. 11 re Public Law No. 3-42 on the same subject (Nuclear and Chemical Free Zone). Any discussions?

Delegate Mafnas: No discussion.

President H. Guerrero: If none, we'll go on to Committee Reports/Recommendations.

#### COMMITTEE REPORTS/RECOMMENDATIONS

Committee Recommendation No. 25, from the Committee on Governmental Institutions, recommending for adoption of a proposed constitutional amendment "to delete Section 16 from Article III in its entirety and to add a new Article to the Northern Marianas Constitution relating to Civil Service Commission."

Committee Recommendation No. 26, from the Committee on Governmental Institutions, recommending for adoption of 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."

Committee Recommendation No. 27, from the Committee on Personal Rights and Natural Resources, recommending for adoption of a proposed constitutional amendment "to amend Section 8 of the Schedule on Transitional Matters of the Northern Marianas Constitution relating to Interim Definition of Citizenship."

Committee Recommendation No. 28, from the Committee on Personal Rights and Natural Resources, recommending for adoption of a proposed constitu-

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

tional amendment "to amend Section 9 of Article I of the Northern Marianas Constitution relating to Clean and Healthful Environment."

Committee Recommendation No. 29, from the Committee on Personal Rights and Natural Resources, recommending for adoption of a proposed constitutional amendment "to amend Article XIV, Section 2 to include two other uninhabited islands to be protected and preserved."

Committee Recommendation No. 30, from the Committee on Finance and Other Matters, recommending for adoption of a proposed constitutional amendment "to add a new Section 2 of Article XVII of the Northern Marianas Constitution relating to a Code of Ethics."

Committee Recommendation No. 31, from the Committee on Governmental Institutions, recommending for adoption of a proposed constitutional amendment "to amend Section 17(b) of Article III of the Northern Mariana Islands Constitution."

Committee Recommendation No. 32, from the Committee on Governmental Institutions, recommending for adoption of a proposed constitutional amendment "to amend Article VIII of the Northern Mariana Islands Constitution by adding a new Section 5 relating to resignation from public office."

Committee Recommendation No. 33, from the Committee on Finance and Other Matters, recommending for adoption of a proposed constitutional amendment "to amend Section 1 of Article X of the Northern Marianas Constitution."

Committee Recommendation No. 34, from the Committee on Finance and Other Matters, recommending for adoption of a proposed constitutional amendment "to amend Section 12 of Article III of the Northern Marianas Constitution, to provide for appointment of a temporary public auditor by the governor in the event of a vacancy in the office of public auditor, and to guarantee the minimum budget of the Public Auditor."

President H. Guerrero: Chairman Manglona?

Chairman Manglona: Mr. President, your Committee on Local Government has nothing to report today, but I would like to inform the Convention that we'll be submitting a package from the Local Government tomorrow. Thank you.

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

Chairman Lizama: Mr. President, the Committee on Governmental Institutions has finally been able to submit the committee's recommendations. And the first committee's recommendation is Committee Recommendation No. 25, respecting to adding a new article to the Constitution in regards to the Civil Service Commission. And the second committee's recommendation is the -- I'm sorry, Mr. President, the first committee recommendation is No. 25 and the second committee recommendation is No. 26; this is in regards to the Resident Representative to the United States. And also we have Committee Recommendation No. 31 dealing with public services on Rota and Tinian. And also we have two committee recommendations that had been previously submitted but, upon submission, they were deferred until some

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

corrections have been made. These committee recommendations are in reference to Committee Recommendation No. 12 and Committee Recommendation No. 10. No. 12 is in regards to the Executive Assistant for Carolinian Affairs and No. 10 concerns Article II, Section 11, with respect to other government employment of members of the Legislature.

President H. Guerrero: The Chair, I believe, accepted the others. Are they 9, 10, 11 and 12?

Chairman Lizama: 10 and 12, Mr. President.

President H. Guerrero: Those have already been accepted on the Order of Business for day 12th.

Chairman Lizama: That's correct, Mr. President.

President H. Guerrero: The Chair accepts Committee Recommendation Nos. 25, 26 and 31. Chairman Guerrero?

Chairman DL. Guerrero: Thank you, Mr. President. Your Committee on Finance and Other Matters is happy again to report on Committee Recommendation No. 30. We are supposed to have two additional committee recommendations in today's agenda, however, I understand that we have a problem with our xerox machine and that they have to be reproduced at the Legislature. At the latter part of our session, I would like to ask the unanimous consent of the delegates if we can at least come back again for these two additional reports.

Chairman Lizama: No objection.

Delegate Nabors: Objection.

President H. Guerrero: Delegate Nabors, are you objecting to that?

Delegate Nabors: If they are not ready, why don't we wait until tomorrow?

Chairman DL. Guerrero: Clarification on that part, Mr. President. The Committee's report is completely finished except the xerox machine itself. It stopped working while producing the other committee reports. And I think the committee should be given the opportunity at the earliest possible time, without any unnecessary delay, to proceed with the committee recommendations and at least we come in with introduction and First Reading.

Delegate Nabors: No objection.

President H. Guerrero: Chairman Lizama?

Chairman Lizama: Mr. President, the Committee on Governmental Institutions also has the same problem and we are expecting to have additional committee recommendations to submit. If they come in before today's session, I would like them also to be considered.

Delegate Nabors: Objection.

President H. Guerrero: Yes, Delegate Mafnas?

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

Delegate Mafnas: Mr. President, in the interest of time, I ask the indulgence of the delegates not to object. A delay today will be an additional. At least tomorrow we can deliberate on Second and Final Reading.

Delegate Nabors: No objection.

Delegate Mafnas: Thank you, Delegate Nabors.

President H. Guerrero: Delegate Nabors, for your information, apparently those recommendations are being xeroxed down at the Legislature and I've asked the Sergeant-at-Arms to check the Steno Pool whether they are ready. I believe they have been finished xeroxing, it's just a matter of trying to bring them to the floor.

Delegate Nabors: Thank you.

President H. Guerrero: Delegate Guerrero?

Delegate DL. Guerrero: Yes, as I said, Mr. President, your Committee on Finance and Other Matters is happy to report our Committee Recommendation No. 30. And when we come to Introduction and First Reading of this particular recommendation, I would recommend again to the Convention, of course, for its adoption. Thank you.

President H. Guerrero: Chairman King?

Chairman King: Mr. President, your Committee on Personal Rights and Natural Resources would like to submit to the Convention Recommendation Nos. 27, 28 and 29.

President H. Guerrero: Thank you, Chairman King. The Chair accepts Committee Recommendation Nos. 26, 27, 28, 29 and 30.

Chairman King: They are Committee Recommendation Nos. 27, 28 and 29.

President H. Guerrero: Excuse me, Chairman King. The Chair accepts Committee Recommendation Nos. 27, 28 and 29 from the Committee on Personal Rights and Natural Resources. The Chair also accepts Committee Recommendation No. 30 from the Committee on Finance and Other Matters.

Delegate Mafnas: Mr. President, I move for a short recess.

Delegate Villanueva seconded the motion.

President H. Guerrero: We'll recess for five minutes.

The Convention recessed at 2:39 p.m.

RECESS

The Convention reconvened at 2:44 p.m.

President H. Guerrero: The session is back to order. I call again Chairman Lizama.

Chairman Lizama: Mr. President, thank you. The other committee recommen-

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

dation from the Committee on Governmental Institutions is Committee Recommendation No. 32, a recommendation to add a new section to Article VIII with respect to public office.

President H. Guerrero: The Chair accepts Committee Recommendation No. 32. I call on Chairman Guerrero.

Chairman DL. Guerrero: Thank you, Mr. President. Again, your Committee on Finance and Other Matters wishes to submit Committee Recommendation No. 33 regarding public purposes, and Committee Recommendation No. 34 regarding public auditor.

President H. Guerrero: The Chair accepts Committee Recommendation Nos. 33 and 34. We'll go on to the Introduction, First Reading and Referrals of Proposals, and I'd like to call on Chairman Lizama to read the title, please, to be considered as First Reading.

INTRODUCTION, FIRST READING AND REFERRAL OF PROPOSALS

Committee Recommendation No. 25: "A PROPOSED CONSTITUTIONAL AMENDMENT TO DELETE SECTION 16 FROM ARTICLE III IN ITS ENTIRETY AND TO ADD A NEW ARTICLE TO THE NORTHERN MARIANAS CONSTITUTION RELATING TO CIVIL SERVICE COMMISSION.", for First Reading.

Committee Recommendation No. 26: "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.", for First Reading.

Committee Recommendation No. 27: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 8 OF THE SCHEDULE ON TRANSITIONAL MATTERS OF THE NORTHERN MARIANAS CONSTITUTION RELATING TO INTERIM DEFINITION OF CITIZENSHIP.", for First Reading.

Committee Recommendation No. 28: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 9 OF ARTICLE I OF THE NORTHERN MARIANAS CONSTITUTION RELATING TO CLEAN AND HEALTHFUL ENVIRONMENT.", for First Reading.

Committee Recommendation No. 29: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND ARTICLE XIV, SECTION 2 TO INCLUDE TWO OTHER UNINHABITED ISLANDS TO BE PROTECTED AND PRESERVED.", for First Reading.

Committee Recommendation No. 30: "A PROPOSED CONSTITUTIONAL AMENDMENT TO ADD A NEW SECTION 2 TO ARTICLE XVII OF THE NORTHERN MARIANAS CONSTITUTION RELATING TO A CODE OF ETHICS.", for First Reading.

Committee Recommendation No. 31: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 17(b) OF ARTICLE III OF THE NORTHERN MARIANA ISLANDS CONSTITUTION.", for First Reading.

Committee Recommendation No. 32: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND ARTICLE VIII OF THE NORTHERN MARIANA ISLANDS CONSTITUTION BY ADDING A NEW SECTION 5 RELATING TO RESIGNATION FROM PUBLIC OFFICE.", for First Reading.

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

Committee Recommendation No. 33: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 1 OF ARTICLE X OF THE NORTHERN MARIANAS CONSTITUTION.", for First Reading.

Committee Recommendation No. 34: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 12 OF ARTICLE III OF THE NORTHERN MARIANAS CONSTITUTION, TO PROVIDE FOR APPOINTMENT OF A TEMPORARY PUBLIC AUDITOR BY THE GOVERNOR IN THE EVENT OF A VACANCY IN THE OFFICE OF PUBLIC AUDITOR, AND TO GUARANTEE THE MINIMUM BUDGET OF THE PUBLIC AUDITOR.", for First Reading.

Chairman Lizama: Mr. President, Committee Recommendation No. 10 is a Proposed Constitutional Amendment to amend Article II, Section 11, relative to other government employment of members of the Legislature. Section 11--the proposed constitutional amendment will read as follows: "Other Government Employment. A member of the Legislature may not serve in any other Commonwealth Government position including other elective office or an independent board, agency, authority or commission established by this Constitution or by Commonwealth law. A person, having been a member of the Legislature, may not serve in any elective or appointive Commonwealth Government position created by statute during the term for which he was elected, for a period of one year following the expiration of the term during which the position was created."

President H. Guerrero: Can I ask the indulgence of Chairman Lizama to read just the title please?

Chairman Lizama: Thank you. Committee Recommendation No. 12 is "A Proposed Constitutional Amendment to add a new subsection to Article III, Section 18 to require that the salary of the Executive Assistant for Carolinian Affairs not be less than that of an executive department head." Committee Recommendation No. 25: "A Proposed Constitutional Amendment to delete Section 16 from Article III in its entirety and to add a new Article to the Northern Marianas Constitution relating to Civil Service Commission." Committee Recommendation No. 26: "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 Mariana Constitution relating to Resident Representative to the United States." Committee Recommendation No. 31: "A Proposed Constitutional Amendment to amend Section 17 (b) of Article III of the Northern Mariana Islands Constitution." And lastly, Committee Recommendation No. 32: "A Proposed Constitutional Amendment to amend Article VIII of the Northern Mariana Islands Constitution by adding a new Section 5 relating to resignation from public office." Thank you.

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

Chairman King: Committee Recommendation 27 is "To amend Section 8 of the Schedule on Transitional Matters of the Northern Marianas Constitution relating to Interim Definition of Citizenship." Committee Recommendation No. 28, "To amend Section 9 of Article I of the Northern Marianas Constitution relating to Clean and Healthful Environment." And Committee Recommendation No. 29, "To amend Article XIV, Section 2 to include two other uninhabited islands to be protected and preserved."

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

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

Chairman DL. Guerrero: Thank you, Mr. President. The committee's proposed constitutional amendment, Recommendation No. 30, is "To add a new Section 2 to Article XVII of the Northern Marianas Constitution relating to a Code of Ethics." Committee Recommendation No. 33: "A Proposed Constitutional Amendment to amend Section 1 of Article X of the Northern Marianas Constitution." And Committee Recommendation No. 34: "A Proposed Constitutional Amendment to amend Section 12 of Article III of the Northern Marianas Constitution, to provide for appointment of a temporary public auditor by the governor in the event of a vacancy in the office of public auditor, and to guarantee the minimum budget of the Public Auditor." Thank you.

President H. Guerrero: Thank you, Chairman Guerrero. We're now on the Second and Final Reading.

SECOND AND FINAL READING

Committee Recommendation No. 18: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND ARTICLE VIII, SECTION 1 TO CHANGE THE DAY OF THE REGULAR GENERAL ELECTION TO SATURDAY.", for Second and Final Reading.

President H. Guerrero: Secretary Nabors, can you read Committee Recommendation No. 17, please?

Secretary Nabors: 17, or 18?

President H. Guerrero: 18, excuse me. Delegate King?

Chairman King: I would like to make a correction on Committee Recommendation No. 27. It's supposed to be "three" instead of "two other uninhabited islands."

President H. Guerrero: Secretary Nabors, can you read Committee Recommendation No. 18?

At this point, Secretary Nabors read Committee Recommendation No. 18 in its entirety.

President H. Guerrero: The Chair is read entertain a motion to adopt this for Second and Final Reading.

Chairman King: I move for its adoption.

There was a second to the motion.

President H. Guerrero: It has been moved and seconded to adopt Committee Recommendation No. 18 in reference to Section 1, Article VIII, concerning regular general election for Second and Final Reading. Discussions?

Delegate Mafnas: No discussion.

President H. Guerrero: No discussion? If no discussion, Secretary Nabors, can you take the roll call for vote?

At this point, Secretary Nabors called the roll, and the motion to adopt Committee Recommendation No. 18 (Section 1, Article VIII, re Regular



2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

General Election) on Second and Final Reading was voted on by a roll call vote, as follows:

YES: Delegates David Cing, Herman Guerrero, Lorenzo DL. Guerrero, Alonso Agisomar, David Igitol, Rita Inos, Benusto Kaipat, Esteven King, Luis Limes, Juan Lizama, Jesus Mafnas, Paul Manglona, James Mendicla, Aniceto Mundo, William Nabors, Felicidad Ogumoro, Maria Pangelinan, Karl Reyes, Joaquin Tenorio, Francisco Tomokane, Willian Torres, Ramon Villagomez, and Ignacio Villanueva. (23 votes)

NO: Delegate Vincent Calvo (1 vote)

And the motion was carried.

Secretary Nabors: Mr. President, I have 24 affirmative votes.

President H. Guerrero: Committee Recommendation No. 18 is unanimously adopted by the Convention. Delegate Villagomez?

Delegate Villagomez: Mr. President, I heard somebody voted "no" and Delegate Nabors reported that it was 24 affirmative votes. I heard Delegate Calvo voted "no."

Secretary Nabors: I'm sorry, I did not hear that. I thought he voted "yes." Is your vote "no", Delegate Calvo? So I have 23 "yes" and 1 "no", Mr. President.

President H. Guerrero: Committee Recommendation No. 18 is adopted by 23 votes and 1 "no". We'll now move down to the Order of Business.

INTRODUCTION AND REFERRAL OF RESOLUTION

None

UNFINISHED BUSINESS

None

SPECIAL ORDERS OF THE DAY

None

GENERAL ORDERS OF THE DAY

Committee Recommendation No. 19: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND ARTICLE XII, SECTION 3 TO ALLOW THE SALE AND LONG-TERM LEASE OF BUILDING ABOVE THE FIRST FLOOR."

Committee Recommendation No. 20: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 2 OF ARTICLE XII OF THE NORTHERN MARIANAS CONSTITUTION RELATING TO ACQUISITION."

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

Committee Recommendation No. 22: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND ARTICLE XIII, SECTION 1 TO ACQUIRE EITHER FREEHOLD OR LEASEHOLD INTEREST IN PRIVATE PROPERTY NECESSARY FOR THE ACCOMPLISHMENT OF A PUBLIC PURPOSE."

Committee Recommendation No. 23: "A PROPOSED CONSTITUTIONAL AMENDMENT TO ADD A NEW SECTION TO ARTICLE X, TO PROHIBIT THE IMPOSITION OR CERTAIN REAL PROPERTY TAXES UNLESS APPROVED BY THREE-FOURTHS OF THE VOTES CAST IN A REFERENDUM."

Committee Recommendation No. 24: "A PROPOSED CONSTITUTIONAL AMENDMENT TO ADD A NEW SECTION TO ARTICLE II, TO ESTABLISH A CEILING OF \$2,800,000 ON THE BUDGET OF THE LEGISLATURE."

President H. Guerrero: Delegate Pangelinan?

Delegate Pangelinan: I move that we resolve into a Committee of the Whole.

Delegate Lizama seconded the motion.

President H. Guerrero: Why are we resolving?

Delegate Pangelinan: To discuss Committee Recommendation Nos. 19, 20, 22, 23 and 24.

President H. Guerrero: It has been moved and seconded to resolve into a Committee of the Whole to consider Committee Recommendation Nos. 19, 20, 22, 23 and 24. Discussions?

There being no discussion, the motion to resolve into a Committee of the Whole was carried by voice vote.

The Convention resolved into a Committee of the Whole at 2:57 p.m.

#### COMMITTEE OF THE WHOLE

The Convention reconvened its plenary session at 5:48 p.m.

President H. Guerrero: The session is now back to order. Before I call on the Chairman of the Committee of the Whole to report back to the Convention, I would like to recognize the Assistant Secretary for Territorial and International Affairs, Mr. Richard Montoya. He is with us today and I would like to ask if he can say a few words to the Convention.

Mr. Richard Montoya: Thank you very much. Mr. President, I'm honored to be here and to be invited to speak to this distinguished group. As a student of history, one of the things that always intrigued me is how the democratic process works, and it works because of people like you.

In the formation of our great country, the United States, it was vigorous nine long years between the Declaration of Independence in 1776 and the Constitutional Convention that was held and finally ratified in 1787.

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

This was something that it took a long time for us to get our act together but it's consisted of people such as yourselves taking time out of your jobs and away from your families to serve your community and to serve this Commonwealth. And I can't commend you enough for making these sacrifices from your personal life to serve your community.

I have known Herman for a number of years and I commend all of you on having a fine leader and the President of this Convention. Herman has served you well in Washington. He got to be a good friend in Washington when he served up there, and it's good to see him back serving the Commonwealth.

I am here with one sole purpose and that is to thank you. It is not my position nor my desire to influence you one way or another on any topic. That's none of my business. It's your business. You were elected to run through the Constitution and develop a Constitution that would carry this Commonwealth into the future.

Today I am pleased to announce, we signed about fifteen minutes ago a Covenant that will provide \$228 million to the Commonwealth over the next seven years.

(Applause)

I am extremely pleased, and the reason I am extremely pleased is, again, I was shown the best and the most talented people that the Commonwealth can put forward in being part of this negotiating team. The Lt. Governor is the head of the negotiating team did an outstanding job.

The figures that were mentioned were, first of all, a start position from the Northern Marianas was something like \$750 million. My start position was \$127 million. And because of the fine negotiating team in six months apart work, they convinced me and I in turn convinced the Administration, specifically the Office of Management Budget, that this \$228 million figure was a reasonable figure and one that I feel very comfortable about. It provides \$126 million in capital improvement projects and \$1.5 million for government operations with a commitment on everyone's part to move forward on privatization and to cut the size of the government including the legislature.

I have to commend the members of the Legislature in their speedy passage of four separate pieces of legislation that I made a prerequisite to act as foundation for us to start the negotiations on the future seven-year multi-year funding.

These pieces of legislation were passed which created the Public Utility Commission, the Community Development Department and to reduce the size of the Legislature. Public Utility Commission was one of the key ones and a commitment for privatization.

It's indeed appropriate for these two to have happened today on the anniversary date of the first Covenant being signed. We had selected this date, July the 10th, as the deadline that we would pick to sign this recommendation to make to the Congress and then to come here to meet with the other important body of the government in its meeting today, the Constitutional Convention.

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

Again, I can't thank you enough for the honor you have given me in allowing me to address you. I am very optimistic about some of the things I've heard on the elements that you are discussing and the professional manner in which you are addressing your charge. I don't want to take any more time from the important deliberations that you are involved with, but I just want to thank you in the name of the President and the people of the United States in moving forward in this beautiful example of democracy at work for you, the citizens, are elected by your pierce to set forth the course that this Commonwealth will follow in the prosperity and success in the future.

Thank you very much. God bless you.

(Applause)

President H. Guerrero: May I call on Chairman Lizama?

Chairman Lizama: Mr. President, I am pleased to report on what had transpired during the Committee of the Whole with respect to what was discussed regarding Committee Recommendation Nos. 19 and 20. I am pleased to report, Mr. President, that Committee Recommendation No. 19 was adopted as amended. And also, Committee Recommendation No. 20, as amended, was adopted and I am pleased to report that to the Convention. Thank you.

President H. Guerrero: Is there a motion to be entertained to adopt the Committee of the Whole's recommendation?

Chairman DL. Guerrero: I so move.

Delegate Reyes seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Committee of the Whole's report on Committee Recommendation No. 19, as amended, and Committee Recommendation No. 20, as amended. Discussions?

There being no discussion, the motion to adopt the Committee of the Whole's report recommending for adoption of Committee Recommendation No. 19, as amended, and Committee Recommendation No. 20, as amended, was carried by voice vote.

President H. Guerrero: Can I get some suggestions from the members?  
Delegate Mafnas?

Delegate Mafnas: Mr. President, I thought that we rise from the Committee of the Whole to receive the Honorable Richard Montoya and we are going back again into a Committee of the Whole. I wish to note that we have over ten proposals perhaps, or recommendations that will be out for discussions tomorrow and we still have three left today. I move to resolve into a Committee of the Whole, Mr. President.

Delegate Manglona seconded the motion.

President H. Guerrero: Discussions? Delegate Villagomez?

Delegate Villagomez: I would like to have a recess for perhaps one hour

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

or an hour and a half and then come back and continue, so that we can rest and eat and freshen up and so that we can work better. I move.

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: Mr. President, nothing more will prevent lengthy debate than hunger. That's my point. Thank you.

President H. Guerrero: Discussions?

There being no discussion, the motion to resolve into a Committee of the Whole was defeated by voice vote.

Delegate Mafnas: Division, please.

At the request of Delegate Mafnas for division vote, the motion to resolve into a Committee of the Whole was defeated again by raising of hands vote of one for and seven against the motion.

President H. Guerrero: The motion is defeated. Delegate Villagomez?

Delegate Villagomez: I move that we recess until 7:30 p.m.

Delegate Mafnas seconded the motion.

President H. Guerrero: It has been moved and seconded to recess until 7:30 p.m. Discussions?

There being no discussion, the motion to recess until 7:30 p.m. was carried by voice vote.

The Convention recessed at 6:01 p.m.

RECESS

The Convention reconvened at 7:46 p.m.

President H. Guerrero: The Convention is now back into session. Delegate Nabors?

Delegate Nabors: Mr. President, I move that we resolve into a Committee of the Whole.

The motion was seconded and carried by voice vote.

The Convention resolved into a Committee of the Whole at 7:48 p.m.

COMMITTEE OF THE WHOLE

The Convention reconvened its plenary session at 10:28 p.m.

President H. Guerrero: I'll call now Delegate Cing to report on the deliberations of the Committee of the Whole.

Delegate Cing: Thank you, Mr. President. First, I would like to apologize to my fellow delegates for all the problems.

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

(Laughter)

Delegate Cing: Under Committee Recommendation No. 22 from the Committee on Personal Rights and Natural Resources, it has been recommitted back to that committee for further studies. On Committee Recommendation No. 23, it has been adopted for First Reading. The same as the Committee Recommendation No. 24 from the Committee on Finance and Other Matters, it has been adopted. Thank you, Mr. President.

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

Floor Leader Lizama: Mr. President, I move that we adopt the report of the Committee of the Whole.

Delegate Mendiola seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Committee of the Whole's report on Committee Recommendation Nos. 22, 23 and 24. Discussions?

There being no discussion, the motion to adopt the report of the Committee of the Whole was carried by voice vote.

#### MISCELLANEOUS BUSINESS

President H. Guerrero: Delegate Inos?

Delegate Inos: Thank you, Mr. President. I would like to commend Delegate David Cing for a job well done as Chairman of the Committee of the Whole.

(Applause)

Delegate Cing: Thank you, lady Delegate Inos; I'm flattered.

(Laughter)

President H. Guerrero: It must be a learning experience, Delegate Cing. Any other miscellaneous business? Yes, Delegate Mafnas?

Delegate Mafnas: Mr. President, I would like to request the Committee on Finance and Other Matters to delay the Second and Final Reading of Delegate Proposal or Committee Recommendation No. 24 until we put our mind.... Pardon?

President H. Guerrero: That's the prerogative of the Chair.

Delegate Mafnas: Oh, is that your prerogative?

President H. Guerrero: Yes.

Delegate Mafnas: Well, may I ask then for your indulgence to try and coordinate all the proposals pertaining to legislative reform before we take up Committee Recommendation No. 24?

President H. Guerrero: We'll take it under consideration.

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

Delegate Mafnas: Are you sure now? Thank you.

President H. Guerrero: Any other miscellaneous business? If none, announcements. Chairman Lizama?

ANNOUNCEMENTS

Chairman Lizama: Mr. President, there will be a public hearing tomorrow to hear proposals with respect to Article IV re courts, right here.

President H. Guerrero: Any other announcements?

Chairman Lizama: Excuse me, Mr. President, at nine o'clock in the morning.

President H. Guerrero: Are you finished, Chairman Lizama?

Chairman Lizama: Yes, I'm finished.

President H. Guerrero: Chairman Manglona?

Chairman Manglona: Mr. President, the Committee on Local Government will have a short, five-minute meeting right after this session. Thank you.

(Laughter)

President H. Guerrero: I hope they don't crucify you. Chairman King?

Chairman King: The Committee on Personal Rights and Natural Resources would like to remind the Chair that we are going to hold a public hearing tomorrow at 7:00 p.m. So if the Convention is going to continue up until that time, I believe that we already scheduled our hearing for seven o'clock. So I ask the Chair to respect that time and give the committee the prerogative for the meeting or the public hearing.

Delegate Mafnas: What does the Rule say, Mr. President?

President H. Guerrero: It basically, I believe, says that it can meet at the same time provided the President approves it first. We'll take that up for consideration tomorrow. Chairman Guerrero?

Chairman King: Thank you.

Chairman DL. Guerrero: Thank you, Mr. President. The Committee on Finance and Other Matters would like to meet also at nine o'clock tomorrow morning.

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

Floor Leader Lizama: Mr. President, I move that we adjourn until tomorrow afternoon at one o'clock.

Delegate Calvo seconded the motion.

President H. Guerrero: It has been moved and seconded to adjourn until tomorrow afternoon at one o'clock. Discussions?

2ND CON CON JOURNAL -- 23rd Day  
July 10, 1985

There being no discussion, the motion to adjourn and to reconvene the next day at 1:00 p.m. was carried by voice vote.

The Convention adjourned at 10:34 p.m. and to reconvene on Thursday, July 11, 1985, at 1:00 p.m.

APPROVED:



Herman T. Guerrero, President  
Northern Marianas Constitutional  
Convention

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William B. Nabors  
Convention Secretary