

SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION

SAIPAN, CM 96950

Telephone

6517/6572

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REPORT TO THE CONVENTION BY THE
COMMITTEE ON PERSONAL RIGHTS & NATURAL RESOURCES

Subject: Committee Recommendation No. 27

Four delegate proposals attempt to Amend Section 8 of the Schedule on Transitional matters relating to the interim definition of citizenship. Your Committee recognizes the need to clarify the status of subsequent children born of those persons after the approval date of the Constitution and qualify for the interim definition of citizenship, noting that proposals, 252, 253, 275 and 315 address this issue.

Your Committee believes the most appropriate and fitting language to use to clarify this issue is the term "and their subsequent children". Section 8 (a and b) should be amended to include this term.

Your Committee did not agree with incorporating subsection (f) to Delegate Proposal No. 275. Spouses do not meet the requirement of not owing allegiance to a foreign state required in the Covenant and Constitution.

Section 8 should clarify the term "United States citizen" or "United States national" as used in the Constitution by adding "and laws of the Commonwealth." This would make the meaning clearer and prevent ambiguity. Similarly, "includes" should be replaced with "means" as a clearer definition statement of exclusive intent.

The proposed amendments by our Committee will do the following:

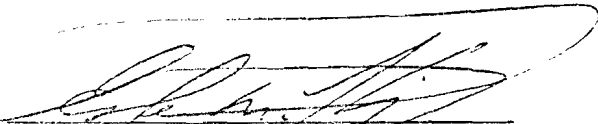
1. They clarify what the term "U.S. citizen and U.S. national" means rather than "includes."
2. They clarify that the definition of U.S. citizen and U.S. national is to be applied in the Constitution as well as in all laws of the CNMI.

3. They declare that all children born after the date of approval of the Constitution by the CNMI people who fall under Section 8(a), (b), and (c) are also covered thereby.
4. They eliminate the requirement that TPI citizens born outside of the CNMI but domiciled in the CNMI since prior to January 1, 1975 be registered to vote in elections for the Mariana Islands District Legislature or for any municipal election in the CNMI.

(Your Committee learned that this requirement was placed in the Constitution because during the First Con-Con there were large number of TPI citizens living and working in the CNMI. This is no longer true).

Therefore, your Committee strongly urges all delegates to support the attached committee recommendation.

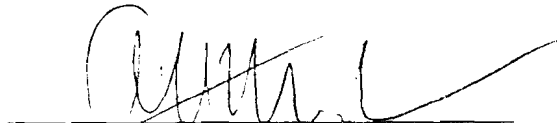
Respectfully submitted,



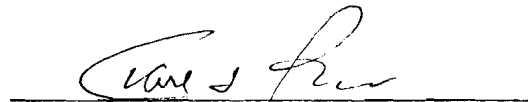
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Chairman



Delegate Joaquin A. Tenorio
Vice-Chairman



Delegate Aniceto H. Mundo
Member



Delegate Karl T. Reyes
Member



Delegate Ramon G. Villagomez
Member

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.

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, Section 8 of the Schedule on
2 Transitional Matters is hereby amended to read:

3 "Section 8: Interim Definition of Citizenship. For the period
4 from the approval of the Constitution by the people of the Northern
5 Mariana Islands to the termination of the Trusteeship Agreement,
6 the term United States citizen or United States national as used
7 in the Constitution ~~and laws of the Northern Mariana Islands~~
8 ~~means~~ ^{ob} means those persons and their subsequent children who, on the date
9 of the approval of the Constitution by the people of the Northern
10 Mariana Islands, do not owe allegiance to any foreign state and
11 who qualify under one of the following criteria:

12 "a) persons ~~and their subsequent children~~ who were born in
13 the Northern Mariana Islands, who are citizens of the Trust Territory
14 of the Pacific Islands on the date of the approval of the Constitution
15 by the people of the Northern Mariana Islands and who on that date
16 are domiciled in the Northern Mariana Islands or in the United States
17 or any territory or possession thereof;

18 "b) persons ~~and their subsequent children~~ who are citizens of
19 the Trust Territory of the Pacific Islands on the date of the
20 approval of the Constitution by the people of the Northern Mariana
21 Islands and who have been domiciled continuously in the Northern

1 Mariana Islands for at least five years immediately prior to
2 that date;

working requirements

3 "c) persons ~~and their subsequent children~~ domiciled in the
4 Northern Mariana Islands on the date of the approval of the
5 Constitution by the people of the Northern Mariana Islands who,
6 although not citizens of the Trust Territory of the Pacific Islands,
7 on that date have been domiciled continuously in the Northern
8 Mariana Islands beginning prior to January 1, 1974."

12 COMMITTEE ON PERSONAL RIGHTS
13 AND NATURAL RESOURCES

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*Adopted as amended
by Cmte of the Whole
on 7/12/85.*