

SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION

SAIPAN, CM 96950

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

Subject: Committee Recommendation No. 29

The Committee on Personal Rights and Natural Resources recommends that the Convention adopt the attached proposed constitutional amendment.

In recommending the proposed amendment (CR No. 29), the Committee reviewed Delegate Proposal Nos. 95-85, 130-85, and 314-85.

Currently, Article XIV, Section 2 of the Northern Marianas Constitution, addresses two important concepts with respect to "Uninhabited Islands." First, it restricts the use of Managaha Island for cultural and recreational purposes only. Second, it identifies two islands, Sariguan and Maug, to be maintained as uninhabited places and used only for preservation. The Committee intends to perpetuate these concepts and, in addition, finds appropriate to include three other uninhabited islands to be protected and preserved.

Delegate Proposal No. 95-85 had similar intention, but fell short by eliminating the second and very important concept. In addition to Managaha, it restricts "other islands provided by law" for cultural and recreational purposes only. The Committee finds that the concept of preservation of uninhabited islands well suited for that purpose must be continued as espoused by our present Constitution.

Delegate Proposal No. 314-85 maintained both concepts promoted by our present Constitution. However, it added additional language which the Committee finds unnecessary and included two other uninhabited islands for preservation which are not appropriate for that purpose. The island of medinilla has been leased to the United States for military purposes. The island of Aguiguan, which is in close proximity to Tinian, may be feasible for economic development. Its biological value as unique habitat for flora and fauna has been reduced by the presence of feral animals.

Delegate Proposal No. 130-85 maintains both concepts as expressed in our present Constitution. The proposal, however, excluded the island of Sariguan, but added the islands of Uracas, Asuncion and Guguan for preservation.

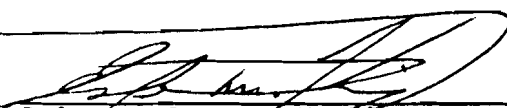
During the deliberations, the Committee reviewed a report from the Department of Natural Resources and finds that Uracas, Asuncion and Guguan are volcanically active and are generally unsuitable for permanent habitation. They have not been occupied since the war. Thus in their undisturbed state, these islands have acquired a unique flora and fauna and are, therefore, well suited for preservation or sanctuary status. In order to protect and preserve these unique biological characteristics, including the native wildlife and habitats, access to these islands must be controlled. One very important feature of these islands is that there are no feral animals. The compelling reason for excluding Sariguan from the list of uninhabited islands for preservation is because of substantial environmental damage caused by feral pigs and goats. It appears that public hunting is the only practical means presently available for controlling these animals, and thus the recommendation to open it up for public access. While fruit bats and coconut crabs are present on Asuncion, these, including goats and pigs, the game animals most popular with hunters, are more abundant on the other Northern Islands (i.e. Anatahan, Sariguan, Alamagan, Pagan, and Agrigan).

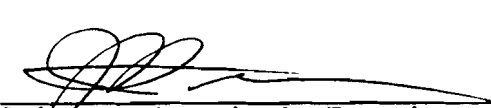
If the uninhabited islands are protected, they could serve as source of population of wildlife to be used for restocking other islands where certain species have been depleted. For example, fruit bats, which are present on Guguan and Asuncion, could be used to replenish the already declining (or perhaps extinct) population on Tinian and Saipan.

The Committee deleted the protection of fish from Delegate Proposal No. 130-85, because it finds that it would be difficult to determine how much area of the ocean surrounding each island and what species of fish are to be protected. The Committee decided that management or protection of fish could be addressed by an appropriate agency of the government if necessary.

In view of the above findings, the Committee unanimously supports Committee Recommendation No. 29 for adoption by the Convention.

Respectfully submitted,

  
Delegate Esteven M. King  
Chairman

  
Delegate Joaquin A. Tenorio  
Vice-Chairman

SECOND NORTHERN MARIANAS  
CONSTITUTIONAL CONVENTION, 1985

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.

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 as follows:

- 1 Effective upon ratification, Section 2 of Article XIV is amended to read:
- 2 "Section 2: Uninhabited Islands. The island of Managaha shall be
- 3 maintained as an uninhabited place and used only for cultural and recreational
- 4 purposes. The islands of Maug, Uracas, Asuncion, Guguan and other islands
- 5 specified by law shall be maintained as uninhabited places and used only for
- 6 the preservation and protection of natural resources, including but not limited
- 7 to bird, wildlife and plant species."

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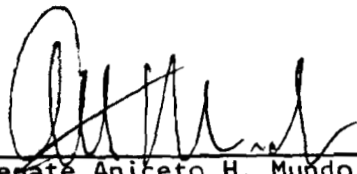
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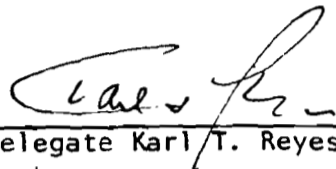
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Committee on Personal Rights and  
Natural Resources

  
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Delegate Aniceto H. Mundo  
Member

  
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Delegate Ramon G. Villagomez  
Member

  
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Delegate Karl T. Reyes  
Member