

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

TWENTY-FOURTH DAY

Thursday, July 11, 1985

The Second Constitutional Convention of the Northern Mariana Islands was called to order at 1:31 p.m., Thursday, July 11, 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 23 delegates were present. Delegate Villagomez was absent.

Secretary Mabors: There are 23 delegates present.

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: Thank you, Mr. President. Delegate Villagomez asked me to extend to the Chair and ask the Chair to excuse him. He has a court hearing this afternoon.

Secretary Mabors: No objection.

President H. Guerrero: No objection, so Delegate Villagomez is excused. We have a quorum to conduct the Order of Business. Floor Leader Lizama?

ADOPTION OF JOURNALS

Floor Leader Lizama: Mr. President, I move that we adopt the Summary Journal.

Delegate Mendiola seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Summary Journal for Wednesday, July 10, 1985. Discussions?

There being no discussion, the motion to adopt the Summary Journal for Wednesday, July 10, 1985, was carried by voice vote.

COMMUNICATIONS

Comm. No. 12, from Mr. Joaquin Q. Atalig, registering concern re manner of public hearing conducted on Rota regarding Article VI.

Comm. No. 13, copy of a telex from CMII/Washington Representative, submitting comments on the proposed amendment to the Washington Representative's Office.

Legal Opinion No. 32, from Mr. David L. Price, Governor's Special Legal Advisor, re Anti-Abortion Proposal.

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President H. Guerrero: In front of you, we have Communication No. 12, a letter from Mr. Joaquin Q. Atalig, registering concern re manner of public hearing conducted on Rota on Article XI; also, a copy of the telex from the Resident Representative to the United States, submitting comments on proposed amendment to the Washington Representative's Office; and Legal Opinion No. 32, response of Legal Counsel to Anti-Abortion Proposal.

COMMITTEE REPORTS/RECOMMENDATIONS

Committee Recommendation No. 17, from the Committee on Personal Rights and Natural Resources, recommending for adoption of Resolution No. 6-85, Committee Draft 1, entitled: "A Resolution relative to requesting the Northern Mariana Islands Commonwealth Legislature to amend Section 19 of Public Law 4-30 relating to Ratification of Proposed Amendments."

Committee Recommendation No. 35, from the Committee on Personal Rights and Natural Resources, recommending for adoption of Delegate Proposal No. 188-85, entitled: "A Proposed Constitutional Amendment to amend Section 1 of Article VII of the Northern Marianas Constitution relating to Qualification of Voters."

Committee Recommendation No. 36, from the Committee on Governmental Institutions, recommending for adoption of Delegate Proposal Nos. 181-85 and 269-85, entitled: "A Proposed Constitutional Amendment to add a new Section to Article II to authorize legislative veto of certain types of Executive acts."

Committee Recommendation No. 37, from the Committee on Governmental Institutions, recommending for adoption of Delegate Proposal No. 99-85, entitled: "A Proposed Constitutional Amendment to amend Section 9(a) of Article III of the Northern Mariana Islands Constitution relating to Executive Functions."

Committee Recommendation No. 38, from the Committee on Governmental Institutions, recommending for adoption of Delegate Proposal No. 238-85, entitled: "A Proposed Constitutional Amendment to amend Section 14(a) of Article II regarding the vote required to expel a member of the Legislature."

Committee Recommendation No. 39, from the Committee on Governmental Institutions, recommending for adoption of Delegate Proposal Nos. 58-85, 60-85 and 200-85, entitled: "A Proposed Constitutional Amendment to amend Section 15 of Article II of the Northern Marianas Constitution relative to conduct of members of the Legislature."

Committee Recommendation No. 40, from the Committee on Local Government, recommending for adoption of Delegate Proposal No. 162-85, entitled: "A Proposed Constitutional Amendment to amend Sections 5 and 6 of Article XII of the Northern Marianas Constitution to prevent corporations from fraudulently qualifying as persons of Northern Marianas descent."

President H. Guerrero: I call on Chairman Lizama?

Chairman Lizama: Mr. President, the Committee on Governmental Institutions has a couple of committee recommendations to submit. The first

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Committee Recommendation is a proposed constitutional amendment to authorize legislative veto of certain types of executive acts; Committee Recommendation No. 37 is a proposed constitutional amendment to amend Section 9(a) of Article III relating to executive functions; Committee Recommendation No. 38 is a proposed constitutional amendment to amend Section 14(a) of Article II regarding a vote required to expel a member of the Legislature; and Committee Recommendation No. 39 is a proposed constitutional amendment to amend Section 15 of Article II relative to conduct of members of the Legislature.

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

Chairman Manglona: Mr. President, the Committee on Local Government has two committee recommendations, Committee Recommendation Nos. 40 and 41. Committee Recommendation No. 41 is being copied now and it will be distributed out momentarily. Thank you.

President H. Guerrero: Chairman King?

Chairman King: Thank you, Mr. President. The Committee on Personal Rights and Natural Resources would like to submit Committee Recommendation Nos. 17 and 35.

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

Chairman DL. Guerrero: Mr. President, your Committee on Finance and Other Matters has no written report at this time because of the bulk of work of the Steno Pool and they are so busy at this time and so we cannot come up with our report.

President H. Guerrero: Thank you, Chairman Guerrero. Any other reports? If none, we'll move on to Introduction, First Reading and Referral of Proposals.

INTRODUCTION, FIRST READING AND REFERRAL OF PROPOSALS

Committee Recommendation No. 17, from the Committee on Personal Rights and Natural Resources, recommending for adoption of Resolution No. 6-85, Committee Draft 1, entitled: "A RESOLUTION RELATIVE TO REQUESTING THE NORTHERN MARIANA ISLANDS COMMONWEALTH LEGISLATURE TO AMEND SECTION 19 OF PUBLIC LAW 4-30 RELATING TO RATIFICATION OF PROPOSED AMENDMENTS."

Committee Recommendation No. 35: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 1 OF ARTICLE VII OF THE NORTHERN MARIANAS CONSTITUTION RELATING TO QUALIFICATION OF VOTERS.", for First Reading.

Committee Recommendation No. 36: "A PROPOSED CONSTITUTIONAL AMENDMENT TO ADD A NEW SECTION TO ARTICLE II TO AUTHORIZE LEGISLATIVE VETO OF CERTAIN TYPES OF EXECUTIVE ACTS.", for First Reading.

Committee Recommendation No. 37: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 9(a) OF ARTICLE III OF THE NORTHERN MARIANA ISLANDS CONSTITUTION RELATING TO EXECUTIVE FUNCTIONS.", for First Reading.

Committee Recommendation No. 38: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 14(a) OF ARTICLE II REGARDING THE VOTE REQUIRED TO EXPEL A MEMBER OF THE LEGISLATURE.", for First Reading.

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Committee Recommendation No. 39: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 15 OF ARTICLE II OF THE NORTHERN MARIANAS CONSTITUTION RELATIVE TO CONDUCT OF MEMBERS OF THE LEGISLATURE.", for First Reading.

Committee Recommendation No. 40: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTIONS 5 AND 6 OF ARTICLE XII OF THE NORTHERN MARIANAS CONSTITUTION TO PREVENT CORPORATIONS FROM FRAUDULENTLY QUALIFYING AS PERSONS OF NORTHERN MARIANAS DESCENT.", for First Reading.

Committee Recommendation No. 41: "A PROPOSED CONSTITUTIONAL AMENDMENT TO REPEAL SECTIONS 1, 2, 3, 4, 5, AND 6 OF ARTICLE VI AND SECTION 17(a) AND (b) OF ARTICLE III OF THE CONSTITUTION OF THE NORTHERN MARIANA ISLANDS AND TO PROPOSE NEW SECTIONS 1, 2, 3, 4, 5, AND 6 OF ARTICLE VI AND SECTION 17(a) AND (b) OF ARTICLE III RELATING TO LOCAL GOVERNMENT.", for First Reading.

President H. Guerrero: I call on Chairman King. Will you read the title please?

Chairman King: Thank you, Mr. President. Committee Recommendation No. 17 is "A Resolution relative to requesting the Northern Mariana Islands Commonwealth Legislature to amend Section 19 of Public Law 4-30 relating to Ratification of Proposed Amendments." The other recommendation is "to amend Section 1 of Article VII of the Northern Marianas Constitution relating to Qualification of Voters."

President H. Guerrero: Thank you, Chairman King. I call on Chairman Lizama.

Chairman Lizama: Mr. President, I think I've already read what the committee recommendations are and if you still wish me to do it again, I will gladly do it.

President H. Guerrero: Please do so.

Chairman Lizama: Committee Recommendation No. 36 is a recommendation "to add a new Section to Article II to authorize legislative veto of certain types of executive acts.", and Committee Recommendation No. 37 is "a proposed amendment to amend Section 9(a) of Article III relating to executive functions.", and 38 is "a proposed amendment to amend Section 14(a) of Article II regarding the vote required to expel a member of the Legislature.", and No. 39 is "a proposed amendment to amend Section 15 of Article II relative to conduct of members of the Legislature."

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

Chairman Manglona: Thank you, Mr. President. Committee Recommendation No. 40 is "to amend Sections 5 and 6 of Article XII of the Northern Marianas Constitution to prevent corporations from fraudulently qualifying as persons of Northern Marianas descent." Committee Recommendation No. 41 which will be passed out momentarily is "to repeal Sections 1, 2, 3, 4, 5 and 6 of Article VI and Section 17(a) and (b) of Article III of the Constitution of the Northern Mariana Islands and to prepare a new Sections 1, 2, 3, 4, 5 and 6 of Article VI and Section 17(a) and (b) of Article III." Thank you.

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President H. Guerrero: Thank you, Chairman Manglona. The Chair has not put anything under Second and Final Reading for today.

SECOND AND FINAL READING

None

INTRODUCTION OF RESOLUTION AND REFERRALS

None

UNFINISHED BUSINESS

None

SPECIAL ORDERS OF THE DAY

None

GENERAL ORDERS OF THE DAY

Committee Recommendation No. 10: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND ARTICLE II, SECTION 11 RELATIVE TO OTHER GOVERNMENT EMPLOYMENT OF MEMBERS OF THE LEGISLATURE."

Committee Recommendation No. 12: "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. 25: "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: "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: "A PROPOSED CONSTITUTIONAL AMENDMENT TO AMEND SECTION 9 OF ARTICLE I OF THE NORTHERN MARIANAS CONSTITUTION RELATING TO CLEAN AND HEALTHFUL ENVIRONMENT."

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."

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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."

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

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

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

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."

President H. Guerrero: We are now at the General Orders of the Day. The Chair would like to recommend in view that there are 12 Committee Recommendations and would like to recommend as follows: We will entertain Committee Recommendation Nos. 10, 12, and 25 and then we will rise and report back to the Convention and probably take the recess for a few minutes and then go back to the Committee of the Whole. If there is no objection....

Delegate Nabors: Objection.

President H. Guerrero: Yes, Delegate Nabors.

Delegate Nabors: Mr. President, is there a public hearing scheduled for this evening?

President H. Guerrero: I believe one reason that's why the Chair is recommending such because I don't know how long this will take. And also, I believe the Chair can excuse those members of the committee to conduct the hearing.

Delegate Nabors: If that, Mr. President, is the case, may I recommend that we take up the matters calendared by the Committee on Personal Rights and Natural Resources now in the event that they will not be present later?

Delegate Calvo: Objection.

President H. Guerrero: Delegate Calvo?

Delegate Calvo: I think, Mr. President, we should dispose of the matters before us as per your schedule. We cannot excuse these individuals during the initial of the meeting because I know they have some concerns over the things. So I feel they should be in the meeting instead of being excused to attend the hearing. So let's dispose of the General Orders of the Day.

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President H. Guerrero: Chairman King?

Chairman King: Thank you, Mr. President. One of my members, Delegate Villagomez, asked me to request the members and also the Chair to delay discussion on the Committee Recommendations that we submitted. He said that he will be back probably at 2:30. He has some concerns that he would like to join during the discussions. So he asked me to request the Chair's permission whether we can delay discussions concerning all our recommendations.

Delegate Nabors: Objection.

President H. Guerrero: Delegate Nabors?

Delegate Nabors: I would object to postponing any Order of the Day or business of the day except for the public hearing.

Chairman King: I think, Mr. President, that each delegate should be given the opportunity if a delegate has a concern on the issue. However, Delegate Villagomez happens to have another commitment and I believe he cannot cancel such commitment because it is very important. And I am asking the unanimous consent of the members to accept it.

President H. Guerrero: Floor Leader Lizama?

Floor Leader Lizama: Mr. President, is Chairman King saying that the Committee on Personal Rights and Natural Resources cannot defend its committee recommendations in the absence of Delegate Villagomez? Is that what he's saying?

Chairman King: I hope that Delegate Villagomez understands English very well. I'm just asking the Chair in terms of Delegate Villagomez' request. He is just requesting.

Delegate Mafnas: Delegate Nabors, can you withdraw your objection?

President H. Guerrero: Delegate Nabors?

Delegate Nabors: No, no; I don't wish to withdraw my objection. I have some very important things that I could have been doing also. And we got, how many days left now? Six?

President H. Guerrero: We have six days to go.

Delegate Pangelinan: I agree with Delegate Nabors. Even me, I'm not supposed to be here but I sacrifice myself to be here.

Floor Leader Lizama: Me, too, I'm supposed to be in Japan.

Delegate Mafnas: I was only asking.

President H. Guerrero: Delegate Limes?

Delegate Limes: Mr. President, may I ask the indulgence of each delegate to at least honor what the Chairman of the PR Committee has requested because there are people who are good in deliberating in English unless we

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will go to vernacular. I think this is what we should also realize. I would like to ask the President and the Delegates that we consider and proceed discussions on the other committee recommendations. I don't see any harm by waiting for this people because the hearing is very important. Therefore, Mr. President, I move that we should give the PR Committee their request.

Delegate Lizama seconded the motion.

President H. Guerrero: The Chair, for one thing, rules that we all ran for Delegates to the Convention and as such, we have obligations. To say that he cannot rearrange it, probably that's.... I'm sure that if he knew ahead of time his responsibility, he could have made arrangement. So it's a personal choice that Delegate Villagomez decided. Also under Rule 55(c), consideration by the Committee of the Whole in order of the reference; therefore, it has to be sequence unless we suspend its provision. The Chair will not entertain deferring any proposal just because one member is not present unless by unanimous consent. Delegate Lizama?

Floor Leader Lizama: Mr. President, I would like to move that we resolve into a Committee of the Whole right now so that we can start dealing with the suggested Committee Recommendations 10, 12, and 25.

Delegate Mafnas seconded the motion.

President H. Guerrero: It has been moved and seconded to resolve into a Committee of the Whole.

There being no further 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 1:49 p.m.

COMMITTEE OF THE WHOLE

(During the Committee of the Whole, Delegate Villagomez took his seat.)

The Convention reconvened its plenary session at 4:27 p.m.

President H. Guerrero: Before I call on Delegate Limes, the Chair would like to thank him for doing an excellent job in presiding the Committee of the Whole. Delegate Limes?

Delegate Limes: Thank you, Mr. President. Your Committee of the Whole has deliberated very intelligently on three committee recommendations, namely Committee Recommendation Nos. 10, 12, and 25, and the Committee so adopted them on First Reading. Thank you, Mr. President.

President H. Guerrero: Delegate Lizama?

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

Delegate Manglona seconded the motion.

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President H. Guerrero: It has been moved and seconded to adopt the report of the Committee of the Whole and consider Committee Recommendation Nos. 10, 12, and 25 as First Reading. Discussions?

There being no discussion, the motion to adopt the report of the Committee of the whole and to consider Committee Recommendation Nos. 10, 12, and 25 as First Reading was carried by voice vote.

President H. Guerrero: Yes, Delegate Villagomez?

Delegate Villagomez: Mr. President, for the record, I would like to just note that I am here. I apologize for being late. I was in the court today involved in a trial involving condemnation. Thank you.

President H. Guerrero: Thank you, Delegate Villagomez. Before the Chair entertain for any motion to dispose of the other committee recommendations, Chairman King, are you the only one who is having a public hearing tonight?

Chairman King: I think so.

President H. Guerrero: Any other committees having public hearings? Can I get some suggestions from the floor? Delegate Manglona?

Delegate Manglona: I would like to know how many witnesses appearing in that public hearing to be held.

Chairman King: I think it's more than 25 and I don't know how many are coming.

President H. Guerrero: Where is the public hearing going to be held?

Chairman King: Over here.

Delegate Manglona: Thank you.

President H. Guerrero: Delegate Calvo?

Delegate Calvo: Mr. President, why don't we act on at least three other recommendations before we make any recommendation whether we will recess until tomorrow morning.

President H. Guerrero: Delegate Lizama?

Delegate Lizama: Yes, I tend to agree and maybe we should act on two other committee recommendations, in particular the short ones, Committee Recommendation Nos. 31 and 32.

President H. Guerrero: It has to be in order. Let's take three more. Let's take Committee Recommendation Nos. 26, 27, and 28. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, Committee Recommendation No. 26, I don't think we will be finished in one hour. I don't think we should be in order, Mr. President. Why don't we take up the minors?

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President H. Guerrero: Delegate Manglona?

Delegate Manglona: I move that we resolve into a Committee of the Whole and limit debates to one hour on the three recommendations. Thank you.

Delegate Mafnas: One hour each?

Delegate Manglona: No. A total of one hour on the three committee recommendations. Thank you.

President H. Guerrero: Yes, Delegate Mafnas.

Delegate Mafnas: Suggestion. Why don't we pass everything on First Reading and then debate on Second Reading?

Delegate Nabors: I think we need to get the Attorney General's rep before he leaves to address some issues that were raised on First Reading. I wonder how do we suppose to abide that. Are we required to submit that in writing?

President H. Guerrero: Can you enlighten me as to what is the request?

Delegate Nabors: The one concern raised by Delegate King concerning the applicability of all agencies and instrumentalities, whether created by statute or Constitution, all applicabilities under the amendment that was under discussion--Committee Recommendation No. 25. The second was, specifically if they are, whether that exclusion or coverage will include all the employees at all levels.

President H. Guerrero: Are you listening? Can you come forward and grab the mike please?

Asst. Attorney General E. Smith: We don't need that in writing as long as we can reply....

Delegate Nabors: That's fair enough, thank you.

Asst. Attorney General E. Smith: Do you want me to reply now? I prefer to reply that by tomorrow morning if possible because it's....

President H. Guerrero: Delegate Igitol?

Delegate Igitol: While we are still haven't make up our mind whether to take two or three, why don't we take Committee Recommendation No. 26 and discuss that now and see how long. If it is finished, we can take another one and we go ahead.

President H. Guerrero: Is that acceptable to the members? The Chair will entertain only the Committee Recommendation No. 26 and we will limit debate to just one hour.

Delegate Nabors: No objection.

President H. Guerrero: The Chair is ready to entertain a motion to resolve.

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Floor Leader Lizama: Mr. President, I move that we resolve into a Committee of the Whole.

Delegate Mendiola seconded, and the motion was carried by voice vote.

The Convention resolved into a Committee of the Whole at 4:36 p.m.

COMMITTEE OF THE WHOLE

The Convention reconvened its plenary session at 6:09 p.m.

President H. Guerrero: The session is back to order. Delegate Villanueva?

Delegate Villanueva: Mr. President, the Committee of the Whole would like to report that Committee Recommendation No. 26 as well as the substitute amendment were defeated. Thank you.

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

Floor Leader Lizama: I so move, Mr. President.

Delegate Pangelinan seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Committee's recommendation regarding Committee Recommendation No. 26. Discussions?

There being no discussion, the motion to adopt the Committee of the Whole's recommendation regarding Committee Recommendation No. 26 as well as the substitute amendment was carried by voice vote.

Delegate Pangelinan: Point of information. Is Committee Recommendation No. 26 not adopted but the substitute amendment is adopted?

President H. Guerrero: No. Everything is defeated.

Delegate Pangelinan: Now I am confused.

President H. Guerrero: Delegate King?

Delegate King: I would like to move for a recess until tomorrow at ten o'clock.

Delegate Lizama seconded the motion.

President H. Guerrero: Can we at least move on to the Miscellaneous and Announcements and continue the rest under the Unfinished Business tomorrow?

Floor Leader Lizama: No objection.

President H. Guerrero: Okay. Is there any miscellaneous business? Delegate Manglona?

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MISCELLANEOUS BUSINESS

Delegate Manglona: You have on the floor Communication No. 10; I believe it does not belong in this floor and that it belongs in the rooms at the two corners here. So on your way out, please drop it there and make sure you buzz twice so that it gets to the originator or the writer of this letter. Thank you.

President H. Guerrero: Thank you, Delegate Manglona. Since it is addressed to the Chair, it becomes the property of the Convention but I share your concern. Chairman King?

Chairman King: Thank you, Mr. President. First, I would like to apologize to the delegates for my emotional reaction during the Convention. However, it really prompted me because the issue that has been raised concerning public hearings, my committee has been criticized. I was very surprised when I see that the delegates overrule the decision of the people and that the witness of that, I believe the public hearing records will testify that the people have decided or have pointed out their view concerning the issue of Washington Representative. So I just want to apologize for the action but please before you attack somebody try to remember that still there are some issues behind it that you need the support of each delegate. Thank you.

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: Thank you, Mr. President. I wish to thank the delegates for the time spent for deliberating on Committee Recommendation 26. I would like the Chair at his indulgence to transit a copy of the report to the Commission on Federal Laws if he doesn't see any problem. Mr. President, I am not concerned about committee members signing the report and then attacking the report. I am not concerned of that. I respect each member's position; however, I condemn a chairman of the committee signing the report, criticizing the report that if it's not the worst then he cannot describe it. I feel that the chairman of the committee is charged with the solemn responsibility to communicate the report to the delegates. I firmly believe that the chairman also has the liberty of not signing the report if he does not agree with it, or if he is going to sign, then indicate "do not concur". But without qualifications statements on the signature, then to come out and attack the report of his committee is an insult to the intelligence of this Convention. And I hope that with the limited time that we have it is not repeated during the deliberation of the committee's recommendation. I indicated in the beginning that I will respect the decision of the majority and my disagreement will be put aside and I would support the decision of the majority. This, Mr. President, I can assure you. And I can assure furthermore my chairman that I will support his report. Thank you very much.

President H. Guerrero: Thank you, Delegate Mafnas. Delegate Mundo?

Delegate Mundo: Thank you, Mr. President. This is also in regards to the letter that was submitted by Mr. Jack Atalig from Rota. I want to place it on record that the accusation made by Mr. Atalig was grossly untrue. I feel that it was not politically motivated. He was given the opportunity. I feel that the Local Government Committee gave ample time for the people

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to come up and present their positions also on the issues involved. Mr. Atalig was there, however, he left the hearing early and he didn't have the time to present his views. So I feel that it is not politically motivated as stated by him in the letter. Thank you.

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

Floor Leader Lizama: Mr. President, I just would like to say something about what Delegate Mafnas' concerns were. I think Delegate Mafnas probably has some good thoughts about committee chairman coming out very strongly against a committee recommendation and especially when the committee chairman also signed off on the committee recommendation. However, I thought there were some understandings on our parts that we would sign off on committee recommendation and....

Delegate Mafnas: Point of information, Mr. President.

President H. Guerrero: Delegate Mafnas, state your point.

Delegate Mafnas: I am not arguing the fact that he spoke. I want to be alerted. I just want a qualification on his signature, that's all; so I would know, period.

Floor Leader Lizama: Mr. President, I'm glad that Delegate Mafnas is clearing that problem. And I think this kind of problem whenever it occurs in the future because I know for a fact that in the future if there's going to be any committee recommendation and if a member opposes to that committee recommendation then be it. I think it's proper I think that maybe that person should not be signing on the committee recommendation. And I think maybe there was a misunderstanding. I apologize to Delegate Mafnas.

President H. Guerrero: Is there any other miscellaneous business? Delegate Kaipat?

Delegate Kaipat: Thank you, Mr. President. Mr. President, this is not the first time that happens, a battle between the committee members and the chairman of the committee. It happens in the Personal Rights and Natural Resources Committee and between Delegate King as chairman and Delegate Villagomez, and now it is happening in our own committee, between Chairman Lizama and Delegate Mafnas. So I think this is a very healthy and normal pattern of this Convention. This will stimulate everybody to debate and bring up the best for all of us.

President H. Guerrero: I agree to that, Delegate Kaipat. Is there any other miscellaneous business? Delegate Guerrero?

Chairman DL. Guerrero: Yes, thank you, Mr. President. Today, Mr. President, your Committee on Finance and Other Matters is entrusted with this beautiful official seal for future seal of the Commonwealth as well as the future flag that will be flying up on the air within the Commonwealth. Tomorrow, your Committee will be introducing a committee recommendation for both, not only the official seal but as well as the official language of the Commonwealth. I hope that with all the debates that we have today, this particular seal by tomorrow will rest in peace with us.

(Laughter)

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President H. Guerrero: I hope, Mr. Chairman, that that is not a wreath.

(Laughter)

Chairman DL. Guerrero: So what I am saying, Mr. President, is that without much delay, I hope that this Convention will adopt the future official seal of the Commonwealth within at least two day.

President H. Guerrero: Thank you, Chairman Guerrero. Delegate Villanueva?

Delegate Villanueva: Thank you, Mr. President. I want to apologize to the delegates during my throne as the Chairman of the Committee of the Whole if I didn't give them to speak but we are limited to one hour and we exceeded by 30 minutes. Thank you.

President H. Guerrero: You did very well, Delegate Villanueva. I applaud. Is there any other miscellaneous business? If none, announcements.

ANNOUNCEMENTS

President H. Guerrero: I just want to make a brief announcement. I understand that the special news program yesterday, 15-minute interview with Richard Montoya will be aired on KCNM Radio tomorrow at 11:00 a.m., 3:00 p.m. and 8:00 p.m. immediately following the Con-Con reports. The topics covered and point to the people of the Commonwealth and covers various issues that relate to the overall development of the CNMI as it moves into a new phase of growth. That's the only announcement I have. The Chair is ready to entertain a motion. Chairman Lizama, yes, we are still under announcements.

Chairman Lizama: Mr. President, I would like to meet with the members of the Committee on Governmental Institutions tomorrow morning at 9:30.

President H. Guerrero: Chairman Guerrero?

Chairman DL. Guerrero: Yes, likewise, the Committee on Finance and Other Matters would like to announce that the committee will meet tomorrow at nine o'clock.

President H. Guerrero: Chairman Manglona?

Chairman Manglona: Mr. President, your Committee on Local Government will be meeting tomorrow at 8:30 a.m. in this hall. Thank you.

President H. Guerrero: Chairman King, do you have any announcement?

Chairman King: Yes. I think I've announced my public hearing already during the deliberation of the Convention, so thank you.

President H. Guerrero: Is that your last public hearing?

Chairman King: Yes. I would like to have more but I'm afraid it will happen like Delegate Lizama that has scheduled for July 13. So I don't want to happen like that.

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(Laughter)

President H. Guerrero: Is there any other announcement? If none, motion to adjourn.

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

Delegate Mendiola seconded the motion.

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

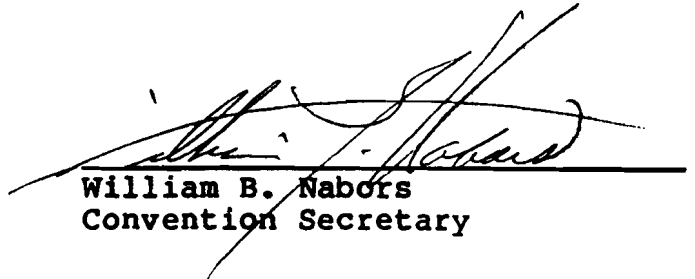
There being no discussion, the motion to adjourn and to meet the next day at one o'clock was carried by voice vote.

The Convention adjourned at 6:23 p.m. and to reconvene on Friday, July 12, 1985, at 1:00 p.m.

APPROVED:



Herman T. Guerrero, President
Northern Marianas Constitutional
Convention



William B. Nabors
Convention Secretary