

REPORT TO THE CONVENTION BY THE
COMMITTEE ON GOVERNMENTAL INSTITUTIONS

Subject: Committee Recommendation No. 10

Your Committee on Governmental Institutions recommends that the Convention meeting in Committee of the Whole adopt the attached proposed constitutional amendment with respect to other government employment of members of the legislature.

Your Committee's recommended constitutional amendment would do two things:

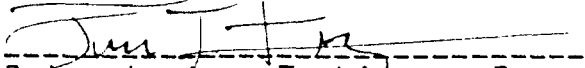
1. Clarify the constitutional language to make it explicit that the prohibition on other government employment also apply to elective offices such as delegate to a constitutional convention. Your Committee agrees with the legal opinion that this was the intent of the original constitution convention and only wishes to eliminate any ambiguity from the language.
2. Add a prohibition to prevent legislators from serving in an office created during their term until one year after the expiration of the term during which the office was created. This would prevent legislators from creating superfluous positions for their own advantage, so they can fill the post after leaving office. This sort of provision is included in the constitutions and laws of many states and seen by your Committee as highly desirable for the Commonwealth Constitution.

Your Committee specifically acknowledges page 53 of the Analysis of the Constitution as accurately reflecting the intent of your Committee with this recommendation, i.e. this constitutional provision prohibits a legislator from serving on any independent board, agencies, authorities or commissions but does not prohibit service on a dependent board, agency, authority or commission established by the legislature, reporting directly to the legislature and performing a task incidental to the law-making process. A good example of a dependent agency is the Tax Task Force.

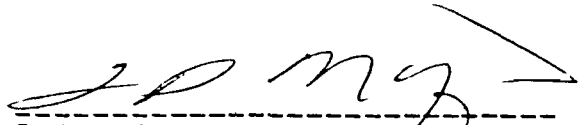
Delegate Proposals: The only delegate proposal relating to this subject referred to your Committee on Governmental Institution was Delegate Proposal No. 57-85. This Committee Recommendation conforms fully with the intent of that proposal.

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

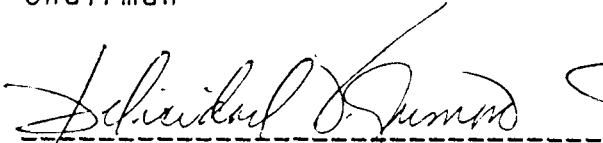
Respectfully submitted,




Delegate Juan T. Lizama, Esq.
Chairman



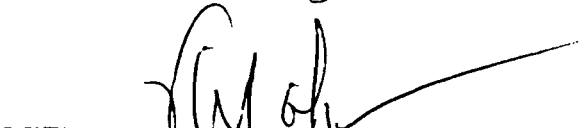
Delegate Jesus P. Marnas
Vice Chairman



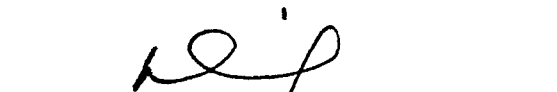
Delegate Felicidad T. Ogumoro
Member



Delegate Benusto R. Kaipat
Member



Delegate Vicente M. Calvo
Member



Delegate David M. Cing
Member



Delegate Alonzo Iqisomar
Member

SECOND NORTHERN MARIANAS
CONSTITUTIONAL CONVENTION, 1985

COMMITTEE RECOMMENDATION NO. 10

A PROPOSED CONSTITUTIONAL AMENDMENT

To amend Article II, Section 11 relative to other government employment of members of the legislature.

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 I. Effective upon ratification, Section 11 of Article II is
2 amended to read:

3 "Section 11. Other Government Employment. A member of
4 the legislature may not serve in any other Commonwealth
5 government position including other elective office or an
6 independent board, agency, authority or commission
7 established by this Constitution or by Commonwealth law. A
8 person, having been a member of the legislature, may not
9 serve in any elective or appointive Commonwealth government
10 position created by statute during the term for which he or she
11 was elected, for a period of one year following the
12 expiration of the term during which the position was
13 created."

14
15
16 *Adopted by Cante of the Whole - 7/11/85*

17
18 *Adopted 2nd + final reading - 7/14/85*

19
20 Committee on Governmental
21 Institutions

SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION
HOUSE OF TAGA
SAIPAN, CM 96950

COMMITTEE RECOMMENDATION NO. 10
RE: DELEGATE PROPOSAL NO. 57-85
June 27, 1985

The Honorable Herman T. Guerrero
President
Second Northern Marianas
Constitutional Convention
Saipan, CM 96950

Dear Mr. President


Your Committee on Governmental Institutions begs leave to report on its deliberation on Delegate Proposal numbered 56-85, which was referred to it for deliberation and is entitled:

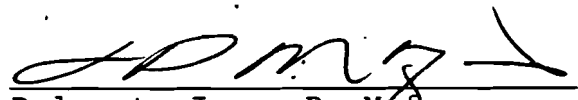
To amend Article II, Section 11 of the Northern Marianas Constitution relating to preventing the appointment or election of a member of the legislature to a public office created during his or her elected term of office.


Your Committee, after extensive deliberation on the above Delegate Proposal, strongly recommends the adoption of the Proposal.

Your Committee urges the unanimous endorsement of other delegates to this Convention.

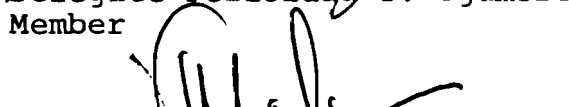
Respectfully submitted,

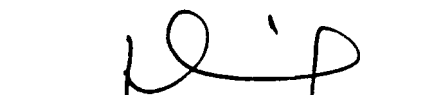

Delegate Juan T. Lizama, Esq.
Chairman

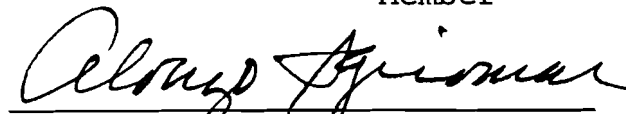

Delegate Jesus P. Mafnas
Vice Chairman


Delegate Felicidad T. Ogumoro
Member


Delegate Benusto R. Kaipat
Member


Delegate Vicente M. Calvo
Member


Delegate David M. Cing
Member


Delegate Alonzo Agisomar
Member