



SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION
SAIPAN, CM 96950

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Legal Opinion No. 36

Date: July 12, 1985

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MEMORANDUM

To : Chairman Committee on Personal Rights/Natural Resources
From : Legal Counsel
Subject: Legal Opinion on Committee Recommendation 27

You have asked us to render an opinion on the effect of substituting the word "means" or the word "includes".

By substituting the word "means" the definition of U.S. citizens within the Commonwealth Constitution is limited to persons who fall into one of the three clauses -- a, b, or c.

The Analysis of the Constitution on page 203 clearly states:

Persons meeting the three tests are included in the category of "United States citizens or nationals." Persons who are United States citizens or nationals as of the effective date of the Constitution are also included in the category, even if they do not meet any of the three tests.

Thus by this proposed amendment, people who are presently citizens within the Constitution, who are citizens by means other than clauses a, b, and c, will no longer be deemed to be citizens under the Constitution. This revoking of citizenship without due process of law would be unconstitutional.

Eric S. Smith
Eric S. Smith

xc: Con Con President