

SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION

SAIPAN, CM 96950

Telephone

6517/6572

Officers

Herman T. Guerrero, President
Vicente M. Calvo, 1st Vice President
David M. Cing, 2nd Vice President
Maria T. Pangalinan, 3rd Vice President
William B. Mabors, Convention Secretary
Juan T. Lizama, Floor Leader

REPORT TO THE CONVENTION BY THE
COMMITTEE ON GOVERNMENTAL INSTITUTIONS

Members

Lorenzo J. Deleon Guerrero
Alonzo Iglisonar
David L. Igitol
Rita M. Inos
Benusto R. Kaipat
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Luis M. Limes
Jesus P. Mafnas
Paul A. Mangiona
James M. Mendiola
Aniceto H. Mundo
Felicidad T. Ogunoro
Karl T. Reyes
Joaquin A. Tenorio
Francisco Tomokane
William S. Torres
Ramon G. Villagomez
Ignacio Villanueva

Subject: Committee Recommendation No. 48


The Committee on Governmental Institutions recommends that the Convention adopt the attached constitutional amendment with respect to executive appointment of members to vacant seats on boards and commissions.

The Committee's recommended constitutional amendment will clarify appointment, reappointment and removal of members of boards and commissions.

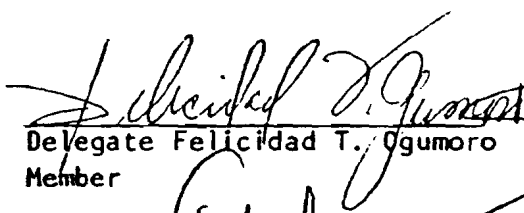
Delegate Proposals: The Committee considered Delegate Proposals Nos. 172-85, 286-85 and 308-85.


The Committee strongly urges all delegates to support this recommended constitutional amendment.

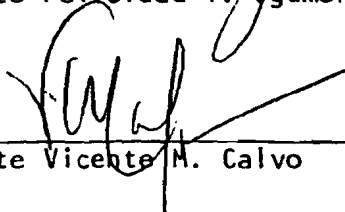
Respectfully submitted,


Delegate Juan T. Lizama
Chairman

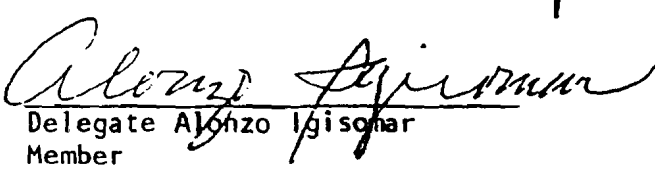

Delegate Jesus P. Mafnas
Vice-Chairman


Delegate Felicidad T. Ogunoro
Member


Delegate Benusto R. Kaipat
Member


Delegate Vicente M. Calvo
Member


Delegate David M. Cing
Member


Delegate Alonzo Iglisonar
Member

A PROPOSED CONSTITUTIONAL AMENDMENT

To add a new Section _____ to Article III to guarantee the independence of boards and commissions.

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 I. Effective upon ratification, a new Section _____ to Article III is added to read:

2 "Section _____. Boards and Commissions. In every case where the
3 governor appoints a board or commission to perform a regulatory or
4 administrative function or direct the activities of an agency, authority,
5 or public or quasi-public corporation in the performance of a regulatory
6 or administrative function, the members of such board or commission
7 shall be independent and may be removed only on grounds of gross neglect
8 or dereliction of duty, breach of fiduciary duty, conviction of a felony,
9 or mental or physical incapacity. Upon expiration of the term of a
10 member of a board or commission, such person shall cease to be a member
11 unless reappointed in the manner prescribed by law. The governor shall
12 make appointments within thirty days to fill vacant seats on the board
13 or commission. This section shall not apply to boards and commissions
14 that serve a purely advisory function or, except to the extent specifically
15 required by federal law, to boards and commissions created to comply
16 with federal law."

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Committee on Governmental Institutions

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8 or dereliction of duty, breach of fiduciary duty, conviction of a felony,
9 or mental or physical incapacity. Upon expiration of the term of a
10 member of a board or commission, such person shall cease to be a member
11 unless reappointed in the manner prescribed by law. The governor shall
12 make appointments within ^{nine} ~~thirty~~ days to fill vacant seats on the board
13 or commission. This section shall not apply to boards and commissions
14 that serve a purely advisory function or, except to the extent specifically
15 required by federal law, to boards and commissions created to comply
16 with federal law."

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19 Adopted by Committee of the Whole and Convention on July 14, 1985

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PROPOSED FLOOR AMENDMENT TO CR NO. 48:

- (1) On page 1, line 12, delete the word "thirty" and insert the word "ninety" in lieu thereof.

Date: 7/15

Offered by: JPN
DELEGATE JESUS P. MAFNAS