

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

THIRTIETH DAY

Wednesday, July 17, 1985

The Second Constitutional Convention of the Northern Mariana Islands was called to order at 11:10 a.m., Wednesday, July 17, 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 all 24 delegates were present.

Secretary Nabors: Mr. President, I have 24 delegates present.

President H. Guerrero: Thank you. 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 for July 16, 1985, the Twenty-Ninth Day.

Delegate Mendiola seconded the motion.

President H. Guerrero: Thank you. It has been moved and seconded to adopt the Summary Journal for the Twenty-Ninth Day, Tuesday, July 16, 1985. Discussions?

There being no discussion, the motion to adopt the Twenty-Ninth Day's Summary Journal, Tuesday, July 16, 1985, was carried by voice vote.

COMMUNICATIONS

Communication No. 20, from Ms. Bobbie J. Lynch, submitting comments on abortion.

Communication No. 21, from Senator Benjamin Manglona, calling the attention of the delegates regarding a serious defect in Committee Recommendation No. 41 concerning local government agencies.

President H. Guerrero: There are two communications that were received by the Chair; one from Ms. Bobbie Lynch and the other one from Senator Manglona. Any Committee Recommendations? Chairman Guerrero?

COMMITTEE RECOMMENDATIONS/REPORTS

Chairman DL Guerrero: Just a minute, Mr. President.

President H. Guerrero: Chairman Manglona?

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Chairman Manglona: Your Committee on Local Government has no report today. Thank you.

President H. Guerrero: Chairman Lizama?

Chairman Lizama: Mr. President, the Committee on Governmental Institutions has nothing to report.

President H. Guerrero: Chairman King?

Chairman King: No report from the Committee.

President H. Guerrero: Chairman Guerrero?

Chairman DL. Guerrero: Yes, Mr. President, your Committee on Finance and Other Matters has no written report to be reported this morning.

President H. Guerrero: Okay, the Chair would like to ask, if there is no objection, to suspend the Order of Business and go down to the General Orders of the Day and entertain those things and then we can calendar all of these under Second and Final Reading for consideration.

Secretary Nabors: No objection.

President H. Guerrero: If no objection, so ordered.

GENERAL ORDERS OF THE DAY

President H. Guerrero: We're now down to General Orders of the Day. I'd like to get a consensus from the members regarding breaking or recessing for lunch. Can I have an idea in terms of what time you, people, would like to break for lunch and how many would you like to consider? One o'clock?

Floor Leader Lizama: Mr. President?

President H. Guerrero: Yes, Floor Leader Lizama.

Floor Leader Lizama: If we are going to consider only one, why don't we have lunch now and come back at four o'clock.

President H. Guerrero: I didn't say that. I said, "returning at one o'clock from lunch."

Floor Leader Lizama: Adjourning at one o'clock?

President H. Guerrero: Delegate Mafnas?

Delegate Mafnas: Are you asking us whether we should recess now and return at one, Mr. President?

President H. Guerrero: I'm asking some recommendations from the floor.
Floor Leader Lizama:

Floor Leader Lizama: Mr. President, we will recess now and come back at 12:30 or one o'clock. How's that?

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President H. Guerrero: If there's no objection, we'll recess until one.

Delegate King: Second.

President H. Guerrero: Then we'll recess until one.

The Convention recessed at 11:18 a.m.

RECESS

The Convention reconvened at 1:27 p.m.

President H. Guerrero: The session is called back to order.

Delegate Nabors: Point of privilege, Mr. President.

President H. Guerrero: State your privilege, Delegate Nabors.

Delegate Nabors: I would like to recognize the presence of the Honorable Senator from Rota, Senator Benjamin Manglona, who has joined us today. Welcome, Senator.

(Applause)

And a former member of the Marianas District Legislature, Marcelino Manglona.

(Applause)

Thank you, Mr. President.

President H. Guerrero: We are still under General Orders of the Day. Floor Leader Lizama?

Floor Leader Lizama: I also would like to recognize the presence of my uncle, Jesus Guerrero, who is here.

(Applause)

President H. Guerrero: Is there a motion to resolve into a Committee of the Whole?

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

Delegate Villanueva seconded the motion.

There being no 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 1:29 p.m.

COMMITTEE OF THE WHOLE

The Convention reconvened its plenary session at 4:32 p.m.

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President H. Guerrero: The session is called back to order. I would like to call on Delegate Igitol to report back on the deliberations of the Committee of the Whole.

Delegate Igitol: Mr. President, the Committee as a Whole deliberated on Committee Recommendation Nos. 8, 55, 56 and 58. Committee Recommendation No. 8 was adopted, as amended, and the amendment is after the first sentence on line 4. The amendment reads as follows, Mr. President: "Restitution to the crime victim shall be a condition of probation and parole except upon a showing of compelling interest." And the last sentence, on line 6: "The Legislature shall adopt provisions to implement this section during the calendar year following adoption of this section." Committee Recommendation No. 55 was deferred and Committee Recommendation Nos. 56 and 58 were adopted. Mr. President, I move that the Committee of the Whole's report be adopted.

Delegate Mafnas seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt Committee Recommendation No. 8, as amended; Committee Recommendation Nos. 55, 58, and 54 were deferred and to be considered on First Reading. Discussions?

Floor Leader Lizama: Point of information.

President H. Guerrero: Floor Leader Lizama?

Floor Leader Lizama: Committee Recommendation No. 58 was adopted, Mr. President.

President H. Guerrero: I didn't say that. Committee Recommendation Nos. 56 and 58 are adopted. Discussions?

There being no further discussion, the motion to adopt the Committee of the Whole's report was carried by voice vote.

President H. Guerrero: In front of you, just for the record, I have passed out copies of Public Law 4-50, to extend the existence of the Second Constitutional Convention by five days, to amend Section 11(a) of Public Law 4-30 and for other purposes. The Governor signed this at about 4:10 this afternoon. Floor Leader Lizama?

Floor Leader Lizama: Mr. President, I move to recess until 7:30 p.m. Or at 7:00 p.m.?

Delegate Mendiola seconded the motion.

President H. Guerrero: It has been moved and seconded to recess until 7:00 p.m. Let me recognize first Delegate Villagomez.

Delegate Villagomez: Privilege. Before we recess, Mr. President, this is supposedly the last day of the Convention and for 30 days, everyday, as the President does something, I get a little frustrated and it gets bigger and bigger and I just have to let it out now. You're supposed to hit the table first, then you say, "The meeting will come to order." As you hit the table, you get our attention, and then you say, "The meeting has come to order." It's an insignificant matter but I thought I'll bring it up before the Convention ends.

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President H. Guerrero: I didn't say, "Call to order?"

Delegate Villagomez: Normally, you said, "The meeting will come to order." and then (bang-bang).

President H. Guerrero: I did.

Delegate Calvo: You should go (bang-bang) first before you say it.

Delegate Villagomez: Yes, but you are supposed to say, (bang-bang) "The meeting will now come to order!"

(Laughter)

President H. Guerrero: Delegate Villagomez, you are not listening. I did say that. Journal Clerk, did I say, "Call to order?"

Journal Clerk: Yes.

Delegate Mafnas: Yes, the President is.

Delegate Villagomez: Yes, but you are supposed to go (bang-bang) first.

Delegate Calvo: The hammer goes first.

President H. Guerrero: You mean you want to go like (bang-bang), the meeting is called to order?

Delegate Villagomez: Yes.

(Laughter)

Delegate Pangelinan: Mr. President?

President H. Guerrero: Yes, Delegate Pangelinan.

Delegate Pangelinan: If today had been the last day and we didn't get that five days extension, we would be working here by the minute. I would like to continue on that momentum.

President H. Guerrero: Therefore, the Chair would like to recommend for seven o'clock instead of 7:30 p.m.

Floor Leader Lizama: No objection.

The motion to recess and to reconvene at 7:00 p.m. was carried by voice vote.

The Convention recessed at 4:39 p.m.

RECESS

The Convention reconvened at 7:36 p.m.

President H. Guerrero: The session is called back to order. We are still under the General Orders of the Day. Floor Leader Lizama?

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

Delegate Nabors seconded the motion.

President H. Guerrero: It has been moved and seconded that we resolve into a Committee of the Whole. Discussions?

There being no 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 7:35 p.m.

COMMITTEE OF THE WHOLE

The Convention reconvened its plenary session at 11:04 p.m.

President H. Guerrero: The session is back to order. I call on Delegate Tomokane to report on the deliberations of the Committee of the Whole.

Delegate Tomokane: Thank you, Mr. President. As your Chairman of the Committee of the Whole, the Committee of the Whole deliberated on Committee Recommendation Nos. 59, 60, 61, and 62, and I will now present the report of the Committee of the Whole. Committee Recommendation No. 59 was adopted, as amended. On line 5, we inserted a period after the word "funds" and deleted everything following that word on that first section. Committee Recommendation No. 60 was adopted. Committee Recommendation No. 61 was adopted and Committee Recommendation No. 62 was also adopted. I move, Mr. President, that the Committee of the Whole's report be adopted.

Delegate Mafnas seconded the motion.

President H. Guerrero: It has been moved and seconded to adopt the Committee of the Whole's report, as amended, for Committee Recommendation No. 59 and for the four, Committee Recommendation Nos. 59, 60, 61, and 62 will be considered as First Reading. Discussions?

Delegate Mafnas: No need.

The motion to adopt the Committee of the Whole's report was carried by voice vote.

President H. Guerrero: I would like to recommend that in view of the liturgicness of this group that we might want to suspend taking 63, 64, and 65 until tomorrow. We will put them under the Unfinished Business. So we will move down to Miscellaneous. If there's no miscellaneous, announcements? If there's no announcement, Floor Leader Lizama, you have your hand up for adjournment.

Floor Leader Lizama: What time tomorrow?

President H. Guerrero: Ten o'clock?

Floor Leader Lizama: That's fine. I move.

Delegate Mendiola seconded the motion.

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Delegate Mafnas: Mr. President, we have close to 10 or maybe 15 tomorrow for Second and Final Reading. If we recess until ten o'clock, we will probably begin at 10:30; and one hour later, we are hungry, we have to go home and eat lunch. So I suggest that nine o'clock in the morning.

Delegate Villanueva: No objection. I second.

President H. Guerrero: Nine o'clock.


The motion to adjourn and to reconvene the next day at 9:00 a.m. was carried by voice vote.

The Convention adjourned at 11:08 p.m. and to reconvened at 9:00 a.m., Thursday, July 18, 1985.

APPROVED:



Herman T. Guerrero, President
Northern Marianas Constitutional
Convention



William B. Mabors
Convention Secretary