

SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION

SAIPAN, CM 96950

Telephone

6517/6572

Officers

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

REPORT TO THE CONVENTION BY THE
COMMITTEE ON GOVERNMENTAL INSTITUTIONS

Members

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

Subject: Committee Recommendation No. 56

The Committee on Governmental Institutions recommends to the Convention adoption of the attached constitutional amendment with respect to the Attorney General.

The Committee concluded that an appointed Attorney General is far more practical as compared to an elective one. An appointed Attorney General is considered by the Committee to be the best available way of obtaining the most qualified individual.

The Committee felt that the Attorney General should be given as much flexibility in making his professional judgement on matters pertaining to the enforcement of laws in the Commonwealth. Also it is necessary that there be provided a strict structure procedure for the process of his removal from office.

Delegate Proposals:

The Committee considered Delegate Proposals Nos. 28-85, 34-85, 105-85, 116-85, and 138-85.

The Committee strongly urges all Convention delegates to support this Committee recommendation.

Respectfully submitted,

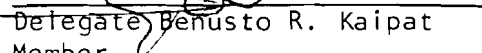


Delegate Juan T. Lizama
Chairman

Delegate Jesus P. Mafnas
Vice-Chairman




Delegate Felicidad T. Ogumoro
Member



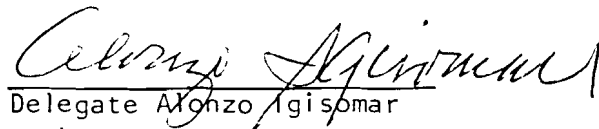
Delegate Benusto R. Kaipat
Member



Delegate Vicente M. Calvo
Member



Delegate David M. Cing
Member



Delegate Alonzo Igisomar
Member

A PROPOSED CONSTITUTIONAL AMENDMENT

To amend Section II of Article III of the Northern
Marianas Constitution relative to the Attorney General.

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 III is amended
2 to read:

3
4 "Section II: Attorney General. The governor shall appoint
5 an Attorney General with the advice and consent of the Senate.
6 The Attorney General shall be a resident and a domiciliary of
7 the Commonwealth of the Northern Mariana Islands for at least
8 three (3) years immediately preceding the date on which the Attorney
9 General is confirmed. The Attorney General shall be the Attorney
10 for the Commonwealth. Legal counsel or legal representation for
11 the Commonwealth shall not be employed or retained without the
12 prior consent of the Attorney General. For purposes of this
13 section, Commonwealth excludes the legislative and judicial
14 branches and includes all other agencies, public corporations,
15 and instrumentalities of the Commonwealth government. The Attorney
16 General shall be responsible for providing legal advice to the
17 governor and executive departments, representing the Commonwealth
18 in all legal matters, and prosecuting violations of Commonwealth
19 law. The Attorney General may be removed only for cause and by
20 the affirmative vote of two-thirds of the members of each house of
21 the legislature.

Date: _____

Offered by: Delegate Lorenzo I. Guerrero