

REPORT TO THE CONVENTION BY THE
COMMITTEE ON FINANCE AND OTHER MATTERS

Subject: Committee Recommendation No. 63

The Committee on Finance and Other Matters recommends that the Convention meeting in Committee of the Whole adopt the attached proposed constitutional amendment relative to action on appropriation bills by the governor and invalidating certain types of actions by lame-duck legislatures.

The Committee's recommended constitutional amendment would prohibit the governor from vetoing the an administrative provision of a bill while approving the funds affected by that amount. The constitution is not now clear whether the governor has that authority, but permitting him to have that authority would allow him to change the substantive intent of the bill, the conditions upon which the legislature made the funds available, thereby weakening the principle of balance of powers. This proposed amendment was fully supported by all witnesses in a public hearing.

Your Committee's recommended constitutional amendment would also require a three-fourths vote for a lame-duck legislature to enact any appropriation bill, or any other bill affecting spending authority, government financial management or the organization of the government. This provision will help prevent political abuses while still providing flexibility for important legislation to be enacted.

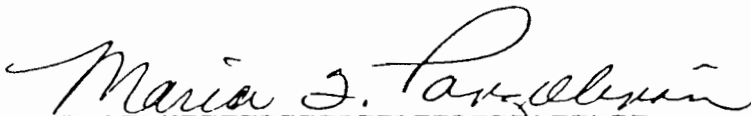
Delegate Proposals: This committee recommendation addresses the concerns raised in Delegate Proposal No. 211-85 referred to your Committee on Finance and Other Matters. During our discussions, Delegate Proposal No. 170-85 and was incorporated, with revisions, as having merit. We also incorporated the recommendations of CR No. 9 in order to have a single, comprehensive proposed amendment relative to Article II, Section 7..

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

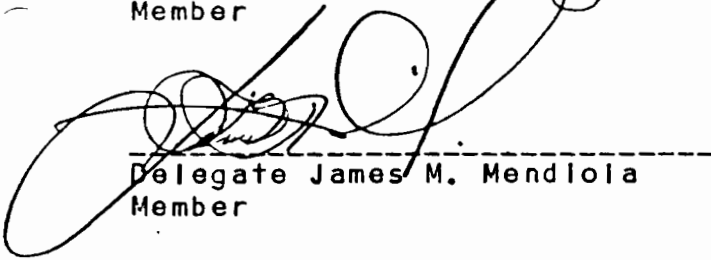
Respectfully submitted,



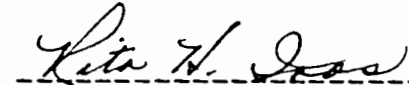
Delegate Lorenzo I. Guerrero
Chairman



Delegate Maria T. Pangelinan
Member



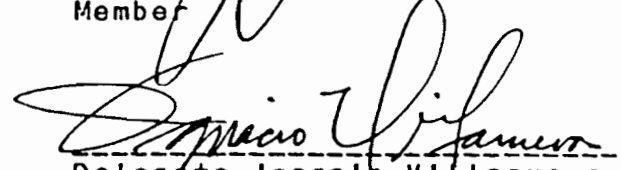
Delegate James M. Mendiola
Member



Delegate Rita H. Inos
Vice Chairperson



Delegate David Igitol
Member



Delegate Ignacio Villanueva
Member

A PROPOSED CONSTITUTIONAL AMENDMENT

To amend subsections (a) and (c) of Section 7 of Article II and to add a new subsection (d) to Section 7 of Article II, relative to action on legislation by the Governor, and to prohibit certain types of bills during the period of a lame-duck 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 7(a) of Article II
2 Is amended to read:
3 "a) Every bill enacted shall be signed by the
4 presiding officer of the house in which the bill
5 originated and transmitted to the governor. If the
6 governor signs the bill, it shall become law. If the
7 governor vetoes the bill, it shall be returned to the
8 presiding officer of each house of the legislature with a
9 statement of the reasons for the veto. The governor may
10 veto an item, section or part in an appropriation bill
11 and sign the remainder of the bill; Provided, that the
12 governor may not veto an item, section or part governing
13 the manner in which an appropriation may be expended if
14 any appropriation affected by the item, section or part
15 is approved."
16 II. Effective upon ratification, Section 7(c) of Article II
17 Is amended to read:
18 "c) A bill or an item, section or part of a bill
19 vetoed by the governor may be reconsidered by the
20 legislature. If two-thirds of the members in each house
21 vote upon reconsideration to pass the bill, item, section

1 or part, it shall become law."
2 III. Effective upon ratification, a new subsection (d) is added to Section
3 7 of Article II to read:
4 "d) Any appropriation bill, or any bill affecting spending
5 authority, government financial management or the organization of
6 the government, enacted in the period between a regular general
7 election and the second Monday of January of the following year
8 shall be void, unless enacted by the affirmative vote of three-fourths
9 of the members of each House of the Legislature."

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Committee on Finance and Other Matters