

2nd CONSTITUTIONAL CONVENTION  
32nd Day - July 19, 1985  
(Committee of the Whole) - Tape #1 (Side B)

MAFNAS: Mr. Chairman, I fully support Committee Recommendation 63. This is something that the Commonwealth needs to ensure that subsection b of page 2 is included in our Constitution. I commend my committee for coming with this recommendation for the rapid ratification for the teaching of the Northern Marianas. So I urge my colleagues to fully support Committee Recommendation 63. Thank you.

CHAIRMAN: Delegate Torres.

TORRES: Testing. Thank you Mr. Chairman. I believe that the Committee on Finance and Other Matters have, must have a very good reason to insert the word part on line 10 and I would like to get some feedback on their reason for doing this.

CHAIRMAN: Any response from the committee.

MAFNAS: May I respond to that.

CHAIRMAN: Go ahead Delegate Mafnas.

MAFNAS: I am not a member of the committee but I also sponsored or introduced a proposal to include part or to amend the Constitution to include the word part. Mr. Chairman, the appropriation bill, you'll find items, you'll find sections and you'll find part in appropriation bill. The governor at this point and time is authorized to either section or either veto a bill. So I believe that the authority to, should be, should be expanded to include also part and not only to limit to item or section. Thank you.

TORRES: Mr. Chairman.

CHAIRMAN: Go ahead Delegate Torres.

TORRES: Is, does part mean subsection or is part the same as section.

CHAIRMAN: Delegate Mafnas.

MAFNAS: If I may, if part mean section then part should not be there. So it means other than section.

TORRES: Does it mean and does it include only subsection.

MAFNAS: It may be interpreted as subsection.

TORRES: Would it include a word.

MAFNAS: I don't understand.

TORRES: Would it include, let's say in an appropriation bill, there may be one word that makes a difference in the entire composition of the appropriation bill. I am asking whether the term part includes such a thing.

MAFNAS: Words.

TORRES: Word or words or phrase or phrases.

MAFNAS: It may say the, the sum appropriated under this part, it may include something like that.

TORRES: So would you agree then that we don't need item and section since we have this which takes cares, which take care of almost everything.

MAFNAS: Not necessarily.

TORRES: Well, would you agree then that part includes subsection, word, phrase, section and item.

MAFNAS: Not necessarily.

TORRES: Is it yes or no.

MAFNAS: Yes and no. It depends Mr. Chairman how is the appropriation bill is prepared so that's why I'm, I'm saying yes or no. Yes and no. So it depends how the drafter of the bill prepares it.

TORRES: May I then be enlightened as to the overriding concern that the committee has in so including this. In this provision, is there a, an overriding compelling need to do such a thing when they are already provided here.

INOS: Mr. Chairman.

CHAIRMAN: Go ahead Delegate Inos.

INOS: Yes, we do have a, a goal in, in providing for this particular section in the Constitution and I think that if you should refer to Committee Recommendation No. 63, the analysis on the second paragraph that would fully explain the intent of the committee. Also, on the third paragraph.

CHAIRMAN: Delegate Torres. Does that satisfy your concern.

TORRES: My concern now that I see this. It says here that the governor will have the authority or this would allow the governor to change the substantive intent of the bill. I am concern.

INOS: The Constitution is not now clear whether the governor has that authority but permitting him to have the authority would allow him to change the, the substantive intent of the bill, the

conditions upon which the legislature made the funds available. This is justifying why we need this, we need this committee recommendation.

TORRES: Wouldn't that authority or power be implied even without it being explicitly specified in the Constitution.

INOS: Come again Delegate Torres.

TORRES: Would that concern be implied already without explicitly specifying it in the Constitution.

MAFNAS: Mr. Chairman, may I.

CHAIRMAN: Go ahead Delegate Mafnas.

MAFNAS: Based on experience, it is better if it is clarified in the Constitution. There was an incident where the first, during the first administration where provisions that should have not been vetoed were vetoed, the only reason why that specific law was not declared unconstitutional because nobody ever bothered to take the former governor to court. To court. So I support and I believe that it should be made clear in the Constitution and we should not base our, or the governor should not base his decision on implication. That it is implied. There was also an incident by the current governor where he wanted to veto an administrative provision. I think this will specify that he doesn't have that authority to veto.

TORRES: I understand the desire of the committee to make things clear. But I wonder if that is their desire, why aren't they that clear whether item, part, subsection, phrase, word, words, are incorporated under this word.

INOS: Mr. Chairman.

CHAIRMAN: Go ahead Delegate Inos.

INOS: I think that this provision really makes it clear on this particular item and when we had the public hearing, this was fully supported by all the witnesses.

TORRES: So there's an extensive research.

MAFNAS: There was.

INOS: So called.

TORRES: Thank you, I'm clear.

CHAIRMAN: Anybody else who'd like to.

MAFNAS: No need. Move to end debate.

CHAIRMAN: Delegate Inos.

INOS: If there's no discussion Mr. Chairman, I would like to move that we amend this and have voting right now.

MAFNAS: Amend

INOS: I mean not amend, to adopt this, I'm sorry. End debate.

MAFNAS: Second

Second

CHAIRMAN: Okay, all those in favor of amending Committee Recommendation No. 63,

MAFNAS: Adopting,

CHAIRMAN: I mean adopting, sorry. It's getting late so excuse the Chair. Say aye.

AYE

CHAIRMAN: Discussion

Those who say no.

CHAIRMAN: Everybody please, it's getting late and

Move for previous question

CHAIRMAN: Okay, I think it's carried. We don't have to say. Let's go on to the next one, Committee Recommendation No. 64.

.....

MAFNAS: Mr. Chairman

CHAIRMAN: Delegate Mafnas.

MAFNAS: I move for the adoption of Committee Recommendation No. 64.

Second.

MAFNAS: I move for the previous question.

TORRES: Objection

CHAIRMAN: All those in favor

NABORS: Objection

CHAIRMAN: Okay, Delegate Nabors. Okay discussion on

Committee Recommendation No. 64. May I hear from the chairman of this committee.

VILLANUEVA: He's absent.

CHAIRMAN: Vice chairman or any member. Delegate Calvo.

MAFNAS: Please. The Chair is ready to entertain your question.

CALVO: State your question please

CHAIRMAN: Delegate Calvo are you through or do you wanna explain.

CALVO: Mr. Chairman, I can't hear the question, can you have him repeat that question please.

CHAIRMAN: What I'm trying to do up here is to let you explain

CALVO: Oh, oh, the content

CHAIRMAN: the recommendation and then perhaps we'll let the delegates ask questions. Maybe we can limit discussion.

CALVO: Mr. Chairman, the proposed constitutional amendment as stated on Committee Recommendation No. 64 is simply to repeal section 13 of article 3 and to amend article 15 relative to education and this is more or less one of big amendment that of course will be incorporated into our Constitution should you, should it go through and I believe the committee recommendation is very much explicit and unless the members would like to ask question, other members of the committee would, would be willing to answer. Do likewise please.

CHAIRMAN: Delegate Nabors, you may have the floor now.

NABORS: Thank you Mr. Chairman. I'd like to inquire about the, the public hearing that was held on with the Department of Education and the community college. I understood from that hearing that serious concerns were raised by the superintendent of education concerning his inability to operate the Department of Education because of the difficulty encountered with the present Finance Department. For instance, I believe he indicated that often times they order, place orders in January for books that arrive in December. Well into the middle of the school year and he likened the difficulty to the problems that he encounters with the property and supply and the Finance Department and their general inability to know from one week or one month to another what their financial situation is. I'd like to find out if this committee proposal addresses that concern.

MAFNAS: Mr. Chairman.

CHAIRMAN: Delegate Mafnas.

MAFNAS: No, this committee proposal does not or will not allow the superintendent of education to set up a mini department of finance. The director of finance has the authority to, to account and to prepare financial statements of the Commonwealth government. It does not address that. I don't believe that the problem is finance. I think it's communication, its follow-up, the system is there, the system is workable and I do not understand why the delay. It is not only here in the Northern Marianas that that is happening, it's happening too in the government of Guam. So it's people's problem, it's not the system. The committee, during its deliberation does not, or is not convince that it is economical, it's in the interest of the people of the Northern Marianas to set up another accounting office within the Department of Education. All it takes is for adequate and advance planning for finance to be able to issue financial statements a month after the books are closed, so we do not believe that it is economical and it will be in the interest of the taxpayers to set, set up a different accounting requirements for the Department of Education within the education department.

CHAIRMAN: Delegate Nabors.

NABORS: I'll yield for now, Mr. Chairman.

CHAIRMAN: Delegate Igitol.

IGITOL: Yes, Mr. Chairman. To further that statement by Delegate Mafnas, I believe the superintendent of education really using this as one of the tools to convince the Convention that they need an autonomous agency, they can run their own affairs and I don't believe that we're delaying documentations. For example, they order, purchase books for the school for next year, school year, the order's suppose to go out before December in order for the books to arrive before the September school year. The purchase order get up to us sometimes middle part of August, that's one of the reasons that they're claiming delay, but it's not really the system.

CHAIRMAN: Delegate Villanueva

VILLANUEVA: I have a question to the committee.

Please.

VILLANUEVA: On page 2, from line 4 to line 23, can you explain what you're trying to explain here. It's, it's little bit very difficult to follow on what the committee is trying to say here.

INOS: Second.

MAFNAS: Okay, let me try and figure out. It says the Board of Education shall have not less than five members or more than seven members. One of whom shall be elected on a non-partisan basis from the first senatorial, meaning one candidate or one should be

elected from Rota and one from the second Senatorial, that's Tinian, two of whom shall be elected on a non-partisan basis from the third senatorial, that is Saipan. The remainder of whom shall be appointed by the governor with the advise and consent of the senate. At least one of the board members shall be a woman and the other one shall be of Carolinian descent. In the event that neither a woman or a Carolinian descent is elected, then the governor appoints the woman representative, shall appoint three to fill the requirements and that can either be a woman or a Carolinian descent. Clear.

VILLANUEVA: Up to line 23.

MAFNAS: Up to line 23.

VILLANUEVA: Yeah.

CHAIRMAN: Delegate Villanueva

MAFNAS: I thought I stop here before I confuse you.

REYES: Can I ask a question before he goes on Mr. Chairman.

VILLANUEVA: Yeah, I understand that part.

REYES: Now I don't at this point, can I throw out one question.

VILLANUEVA: I yield to

CHAIRMAN: Okay, go ahead Delegate Reyes

REYES: Thank you Mr. Chairman. If we have to have an election for the Board of Education and if we have to guarantee a Carolinian representation or a woman representation, won't that conflict and become an unconstitutional issue because you have an election and then you're guaranteeing a representation of certain group of people.

CHAIRMAN: Anybody to answer that question.

MAFNAS: No there is, I don't think there is, are you questioning the constitutional problem.

REYES: Yes, because of the situation that arised here on the same situation for the Constitutional Convention when they tried to assure the Carolinians to come in and it was declared unconstitutional to do so because it is to be chosen by election so I wonder whether you have a system here where you mingle the election and appointed and I just wonder whether this will create some problem.

MAFNAS: No, I don't think so. The Constitution says that all the delegates shall be elected and in this situation, we're not saying that. We're saying that if a woman is not elected or a Carolinian

descent, that the governor has the authority to appoint. So we do it also on, on other things, so its, there is no constitutional problem here.

REYES: The, I think the basic question Mr. Chairman is whether we can assure certain groups to go in even if you have an election, so there's no need to have an election for women and Carolinian in this particular case.

MAFNAS: Yes, I take, I understand your point, but in the event they are not in, so this provision is provided to accommodate that.

CHAIRMAN: Delegate Reyes, are you through.

MAFNAS: We, for your information Mr. Chairman, we asked for clarification, this, clarification from the legal counsel and we're okay.

REYES: Okay, I'm clear.

CHAIRMAN: Let me recognize

TORRES: Point of information.

CHAIRMAN: State your point of information Delegate Torres.

TORRES: Yes, I believe that Delegate Reyes is bringing up a point that we encountered earlier regarding the constitutional election. There was a move to guarantee representation to certain groups and I believe that the governor restrained or was constrained from messing up with the constitutional election because it was felt that it may be unconstitutional to guarantee a group entry into the Convention knowing that the Constitutional Convention is, is an at-large election. So I think that's a pretty gray area there and I'm not convinced that it is not unconstitutional at this point.

MAFNAS: Mr. Chairman.

CHAIRMAN: Go ahead Delegate Mafnas.

MAFNAS: The Constitution provides, under article 18 of section 2(d). It says the delegates to the Convention shall be elected on a non-partisan basis. So the governor could not appoint a delegate to the Constitutional Convention without election. The delegates must be elected, it's provided for in our Constitution and if this is ratified by our people, it will be, it will be provided that in the event the, the woman is not elected to the board, the governor shall appoint and the same with Carolinian descent, so I think the situation is different.

CHAIRMAN: Okay, let me recognize Delegate Ogumoro first.

OGUMORO: Thank you. Just to add to what our vice chairman has already indicated, the problem that we had prior to the



Constitutional Convention is because of what is provided under article 18, section 2(d) we cannot provide under the language of that section, we cannot provide for an appointment, for appointment of delegates, so that's why we had that problem and although somebody, one of the representatives introduced an amendment or a proposed measure, I think it was a bill to provide for that election, he had to withdraw it, or that bill had to be proposed, legislation had to be filed because it's not consistent with the language of the Constitution, as far as election of Convention delegates is concern.

CHAIRMAN: Delegate Inos.

INOS: On the same section, section (c), in the event that a woman of Carolinian descent is elected, how many will be appointed.

MAFNAS: None.

None.

INOS: Okay, on the appointment, one shall be from the first senator - election shall be one from the first senatorial district, one from the second senatorial district and two from the third senatorial district.

MAFNAS: Yes.

INOS: Where will the appointment be from.

MAFNAS: From at large, from the entire Commonwealth.

INOS: From the entire Commonwealth.

MAFNAS: Yes, it can be from Rota or Tinian. That one assures continuity and it assures representation of the executive branch into the board to share its policies and whatever.

CHAIRMAN: Delegate Inos, are you through.

INOS: I, I'm through on this section, I will yield for now.

CHAIRMAN: Okay, I will recognize Delegate Manglona.

MANGLONA: Mr. Chairman, I foresee a problem in, in section (c) of this recommendation. Let's take an example, let's assume that this coming election you are, you fall under, let's say you have seven members this coming election because neither a woman or a person of Carolinian descent is elected, therefore you have seven members, of course with the three appointments. So four years later, you have a situation where, where you meet the requirement in the four elected board members, therefore, you only need four board members. According to section (c) here, on line 27th, appointed members of the Board of Education shall serve until their successor is appointed and qualified following an election at which the governor

is elected. Does that mean that although you meet all the requirement with the four elected board members, you're gonna keep the remaining three because there, they will serve until their successor is appointed, or would that mean that they automatically cease to be board members because the requirement had been met by the four elected board members. Can I get a clarification from any of the committee members on that.

CHAIRMAN: Delegate Mafnas.

MAFNAS: The elected board members, the Board of Education members will be elected on odd year, the appointment is concurrent with the governor's term.

MANGLONA: But I'm saying that, let's say the governor, let's say that after four years you meet all the qualification with the four elected board members, the governor then do not have to appoint, but if the governor do not appoint, then the three present board members will serve on the board because on line 27 you're saying appointed members shall serve until their successor is appointed so if the governor does not appoint because there's no need to appoint, then the three will remain on the board.

MAFNAS: Yeah, the board, the total board members will reduce accordingly.

MANGLONA: Okay, so therefore, this should be amended on line 27, appointed members of the Board of Education shall serve for four years also, so that then they automatically are terminated and if the governor sees a need for them to, to be appointed again to meet the requirement, then he will appoint them again. If he doesn't need to, to make appointments to meet the requirement then the four members will automatically stop being members.

CHAIRMAN: Delegate Mafnas can you respond to that.

MAFNAS: Yes. That was a long question, a long statement.

MANGLONA: Okay on line 25 it says elected members will serve only for four years,

MAFNAS: Right.

MANGLONA: However, appointed members will serve until an appointment is made. So four years later, you meet, you meet all the requirement, so an appointment is not necessary, therefore, these present members will remain on the board.

MAFNAS: For two years.

MANGLONA: It doesn't say here for two years.

MAFNAS: My advisor tells me here that two years is the time for the election, or from the election of the governor.

MANGLONA: I don't, I don't see that here and I'm not convinced. I think that if the governor does not have to make an appointment because all the requirements are met by the four elected board members, then I believe from reading this that the present board member will remain. I'm asking is the intention of the committee is to bring down the number back to four since the, all the requirements are met, so, so that the three board members will then have to step down. That is my question.

MAFNAS: No, the Board of Education shall have not less than five, it cannot be four.

MANGLONA: So therefore,

MAFNAS: It has to be five.

MANGLONA: Therefore, either one of them have to stay or all the three have to stay.

VILLANUEVA: Mr. Chairman, I move for a brief recess so the consultant can discuss this with

Second

CHAIRMAN: Okay, we'll take a five minute recess, I need to look at this.

.....

MAFNAS: Mr. Chairman, we're ready.

CHAIRMAN: The Committee of the Whole is now reconvened. All delegates please take your seats.

MAFNAS: Mr. Chairman.

CHAIRMAN: Go ahead Delegate Mafnas.

MAFNAS: To ease and solve the confusion, I will like to offer the following amendments. Will you kindly, delegates, look at your copies so

CHAIRMAN: Delegates please be seated.

MAFNAS: Stand by your questions and keep moving.

CHAIRMAN: Mr. Secretary will you please take this down.

MAFNAS: I move, on line 4, strike out page 2. Line 4, delete the words not less and insert be composed. And on line 5, strike the words than five or more than. On line 10, after the word and, delete the words the remainder and insert the letter, or rather the word three. Three, one, two, three. And on line 12, after the word member, delete the words of the Board of Education and insert

the words appointed by the governor. At least one member appointed by the governor. And on line 14, after period, delete, on line 14, delete in the event all the way down to line 23, where it says appoint one member. Please delete them. As well as the period. Are we in order Mr. Secretary.

NABORS: Delete down to line what.

MAFNAS: Line 23. Appoint one member

NABORS: Yes.

MAFNAS: On line 27, after the word serve, insert the following. A term concurrent with the term of the governor, a term concurrent with the term of the governor and shall sit, I repeat, a term concurrent with the term of the governor and shall sit until their successor is appointed and qualified period. On line 28, delete the word following and on line 29, delete that line in its entirety. I so move.

Second.

Move to amend.

Second.

CHAIRMAN: Okay, there's a motion now to amend, Mr. Secretary, could you repeat that again, the amendment. Is everybody, first of all, is everybody clear with the amendment.

Not clear.

CHAIRMAN: Okay, Mr. Secretary, can you go back again and redo it.

NABORS: Page 4, I mean page 2, line 4, strike everything.

MAFNAS: No.

NABORS: On line 4, strike the words not less and insert be composed; on line 5, strike the words than five or more than; on line 10, strike the words the remainder and insert the word three, one, two, three; on line 12, strike the words of the Board of Education and insert appointed by the governor; on line 14, beginning with the first sentence beginning in the event that neither a woman, strike all of that down to line 23, ending with appoint one member period. On line 28, strike the word following, oh, pardon me, line 27, insert following serve, after serve, you insert the following, a term concurrent with the term of the governor and shall sit until their successor is appointed or qualified, and qualified. 29, strike the entire sentence that reads an election at which the governor is elected.

CHAIRMAN: Discussion on the amendment.

Yes.

CHAIRMAN: Delegate Igitol.

IGITOL: Mr. Chairman, line 4, did I hear you say not less, strike out.

Out, not less.

CHAIRMAN: Not less, that is correct.

IGITOL: Okay,

MAFNAS: That is correct, so what it does really, it makes the board, the composition of the board seven members.

IGITOL: What about the word have.

NABORS: Stricken, have is stricken.

MAFNAS: Shall be composed of, yeah.

IGITOL: What about the of, letter of. Shall we put it in.

MAFNAS: Shall be composed of seven members.

NABORS: Right.

IGITOL: Thank you.

MAFNAS: I said that.

NABORS: Sorry.

CHAIRMAN: Okay, Delegate Inos.

INOS: Taken care of already.

CHAIRMAN: Okay, Delegate Manglona.

MANGLONA: I believe Delegate Mafnas' intent is not to put on line 12 appointed by the governor. I think the word should say at least one member of the Board of Education shall be a member and at least one member shall be, shall be a woman and at least one member shall be a person of Carolinian descent and that would be taken care of by the three appointment by the governor, because if you say at least one woman appointed by the governor, at least one member appointed by the governor shall be a woman and at least one member shall be a person of Carolinian descent, that is forcing the governor to appoint at least one woman and at least one person of Carolinian descent even if that requirement has already been met by the elected Board of Education.

Second.

MAFNAS: We changed the intent entirely here. We aren't saying that the governor will, must appoint a woman when, even if a, a woman, or should not appoint a woman even if a woman is elected.

MANGLONA: Oh, so the intent

MAFNAS: That's not what we're saying here.

MANGLONA: Okay, so let me correct this. Is the intent of the committee to appoint even if there is already a woman and even if there is already a person of Carolinian descent, a woman and a Carolinian descent.

MAFNAS: Yes, that is the intent now.

MANGLONA: Why.

MAFNAS: If there are five women, we want the governor to still appoint another one.

MANGLONA: Okay.

All right.

NABORS: Jesus Christ.

CHAIRMAN: Okay, Delegate, Delegate Torres.

TORRES: I wanna discuss the general, the entire recommendation.

CHAIRMAN: We're, we're still on the amendment.

TORRES: Okay, so I'll wait.

CHAIRMAN: Delegate Ogumoro did you raise your hand.

OGUMORO: I will yield now, I think the concern of Delegate Manglona has been answered, thank you.

CHAIRMAN: Okay, then I'll recognize Delegate Nabors. You're raising your hand.

NABORS: I want to discuss other matters.

MAFNAS: If there is no discussion Mr. Chairman, I move that we adopt the recommendation, the amendment.

Second, second.

CHAIRMAN: All those in favor of the amendment, as proposed by Delegate Mafnas, say aye.

AYE.

CHAIRMAN: Against. The motion carried. Okay, so we'll go back on the main motion again. Delegate Nabors.

NABORS: Thank you Mr. Chairman. Now, I think that you got a good deal out of that amendment.

OGUMORO: You better believe it.

NABORS: But I wanna find out why we are repealing section 13 of article 3 and that can, provides among other things that you should have a superintendent of education. And the only reference I find here to a superintendent is a little statement in passing here on page, the top of page 2. There's no provision for his appointment or any of his duties and responsibilities.

MAFNAS: Mr. Chairman, may I answer that.

CHAIRMAN: Go ahead, Delegate Mafnas.

MAFNAS: On page one, it says administration of public and secondary shall be the responsibility, secondary system shall be the responsibility of the superintendent of education and appointed by the Board of Education.

NABORS: Appointed by a representative.

MAFNAS: Pardon, it's on page one.

NABORS: Appointed by a representative Board of Education, is that the reference you have.

MAFNAS: Shall be appointed by a representative of

OGUMORO: No, no, no.

MAFNAS: the Board of Education, by the Board of Education.

OGUMORO: May I interject at this point.

MAFNAS: Please.

CHAIRMAN: Are you going to answer

OGUMORO: I think it means representative Board of Education, meaning that the islands of Tinian, Rota are on the board, women and Northern Mariana, Carolinian descent, presence of Carolinian descent are on the board.

NABORS: That's just my point if the whole board is women, it ain't gonna be representative.

OGUMORO: Come again.

NABORS: I said that is exactly my point.

CHAIRMAN: Delegate Nabors, are you through.

NABORS: For now.

CHAIRMAN: For now.

NABORS: I'll be coming in with amendment on second reading.

CHAIRMAN: Okay, then anybody else, Delegate Torres.

TORRES: Thank you Mr. Chairman. As a member of the educational community, I can't help but be surprised with this proposal. Why am I surprised. Well, everything here is addressed already. In Public Law 3-43 and Public Law 4-34 and it is in the Code. I cannot understand the Committee on GI. This shows the lack of extensive research, the only thing, mind you, that is new here is that on page 1, the second, page 1, the first paragraph, the second sentence of that paragraph. That's the only thing that is new. All the rest are reiterations.

Um

TORRES: Let me, please, let me finish and I will prove what I'm saying. They are all reiterations. If you look on Public Law 3-43, that deals with elementary and secondary education. If you look on Public Law 4-34, that addresses adequately the issue of higher education. Again, in article 3 in the Constitution, section 13, the Department of Education is adequately recognized, on section 13, or 15 of the Constitution, I mean article 15, section 1, education is likewise recognized here. Now. The board, I mean the witnesses at the public hearing all supported an election and I emphasize that, election, not election appointment, election of the Board of Education. I cannot help but be surprised at the half-baked, half-hearted decision of the committee, to include section (c) here to, to recognize the rights of women to be a member of the Board of Education. Well, if we want to recognize women in the education, Board of Education, then let's go back to appointment. We will guarantee women over there. Perhaps we may not guarantee women in the election, I don't know, but I do not want to assume that women do not have that vitality and do not have that force to be recognized by the male dominated society, that they are not qualified to be members of the school board. I am very surprised with this entire proposal as a member of the education community. I direct the attention of the committee to those two public laws and to those two articles in the existing Constitution and prove to me that I am wrong. Because if anything that the committee incorporates here, in view of the public hearing, it is the issue of Board of Education and if anything, they dealt with it on a half-hearted basis. They're not really sure whether they would like to have election or appointment

MAFNAS: We'd like to, point of information.

TORRES: If you want to have, to guarantee women



CHAIRMAN: Please wait.

TORRES: Then perhaps we should, we should retain the status quo. Let's not get into this half-hearted things. Let's be sure, let's decide, let's be decisive. Also, I note with considerable interest the need to guarantee an annual budget of not less than 15 percent of the general revenues for public elementary and secondary. Well, is, what about hospital services. Are we gonna guarantee health services the same thing. Why are we guaranteeing education all of these things and not on health. Why are we guaranteeing the public auditor for instance.

MAFNAS: Are you opposing the guaranteeing of 15 percent.

TORRES: Let me just finish and things will get clear. I also wanna direct the attention of the delegates on, on section 2 of this proposal, section 2(c). The college is already guaranteed half a million dollars as a result of Public Law 4-34. And for your information, they also would like to get Covenant funding but unfortunately they didn't get it. In summary, I think Committee Recommendation 64 is unnecessary, there is no compelling need to have it and I think I would recommend for filing. Thank you.

Second.

Second.

MAFNAS: I'm glad it was only a recommendation.

CHAIRMAN: Is that a motion to file Delegate Torres.

TORRES: Motion to file.

Objection

Objection

MAFNAS: Mr. Chairman.

CHAIRMAN: No second.

MAFNAS: No second.

CHAIRMAN: Okay Delegate Mafnas.

MAFNAS: Mr. Chairman, I admire the, Delegate Torres for coming out, or rather pointing those point - things out, however, article 15, there are new provisions here and I don't see anything wrong by including if there are provisions in public law x to z to include in the Constitution. I don't see any reason to the contrary, like I do not see on page 1, line 10 that the educational system shall recognize the distinct and unique cultural heritage and indigenous way of life of the people and shall be committed to provide the language needs to the people (end of side B)