

REPORT TO THE CONVENTION BY THE
COMMITTEE ON GOVERNMENTAL INSTITUTIONS

Subject: Committee Recommendation No. 64

Your Committee on Governmental Institutions recommends that the Convention meeting in Committee of the Whole adopt the attached proposed constitutional amendment relative to public education in the Commonwealth.

Your Committee's recommended constitutional amendment would establish an independent board of education to administer the elementary and secondary schools and an independent Northern Marianas College under a board of regents to provide for adult and continuing education, postsecondary and adult vocational education and professional training. The board of education would have from five to seven members, four of whom would be elected on a nonpartisan basis. One member would be elected from Rota, one member would be elected from Tinian, and two members would be elected from Saipan. The Governor would appoint at least one member and could appoint as many as three if necessary to ensure that at least one member is a woman and at least one member is a person of Carolinian descent.

Your Committee's recommendation also requires that the educational system recognize our cultural heritage and language needs while preparing our children for participation in the world at large. The proposed constitutional amendment also guarantees a minimum budget to the elementary and secondary school system and to the college in order to ensure that sufficient resources are dedicated to the educational needs of our people.

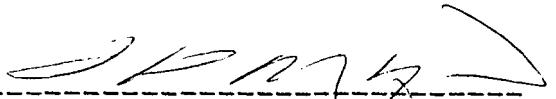
Delegate Proposals: Your Committee on Governmental Institutions considered Delegate Proposal Nos. 32-85, 33-85, 106-85, 117-85, 182-85, 193-85, 214-85 and 266-85 and determined that the attached Committee Recommendation represents the best approach.

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

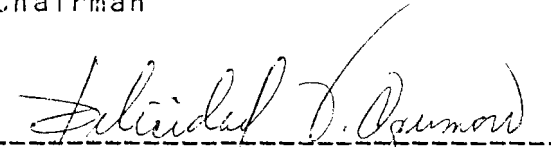
Respectfully submitted,



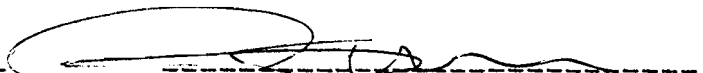
Delegate Juan T. Lizama, Esq.
Chairman



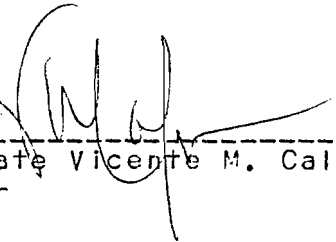
Delegate Jesus P. Marnas
Vice Chairman



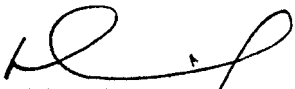
Delegate Felicidad T. Ogumoro
Member



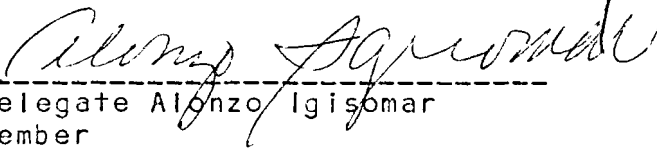
Delegate Benusto R. Kaipat
Member



Delegate Vicente M. Calvo
Member



Delegate David M. Cing
Member



Delegate Alonzo Igisomar
Member

A PROPOSED CONSTITUTIONAL AMENDMENT

To repeal Section 13 of Article III, and to amend Article XV relative to education.

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 on the second Monday of January 1988, Section 13
2 or Article III is repealed.

3 II. Effective on the second Monday of January 1988, Article XV
4 is amended to read:

5 "ARTICLE XV: EDUCATION

6 Section 1. Elementary and Secondary Education.

7 a) Every person in the Northern Mariana Islands shall
8 have the right to free, compulsory and public elementary and
9 secondary education within age and educational levels provided
10 by law. The educational system shall recognize the distinct
11 and unique cultural heritage and indigenous way of life of the
12 people and shall be committed to provide for the language needs
13 of the people and the preservation of their cultural integrity
14 within a global community.

15 b) Administration of the public elementary and
16 secondary system of the Commonwealth shall be the responsibility
17 of a superintendent of education appointed by a representative
18 board of education. The board of education shall formulate policy
19 and exercise control over the public school system through the
20 superintendent. Other matters pertaining to its operations and
21 and duties shall be provided by law.

1 c) The board of education shall be composed
2 of seven members, one of whom shall be elected on a nonpartisan
3 basis from the first senatorial district, one of whom shall be
4 elected on a nonpartisan basis from the second senatorial
5 district, two of whom shall be elected on a nonpartisan basis
6 from the third senatorial district, and three whom shall be
7 appointed by the governor with the advice and consent of the
8 senate. At least one member appointed by the governor shall be
9 a woman and at least one member shall be a person of Carolinian
10 descent. Elected members of the board of education shall serve
11 a term of four years commencing on the second Monday of January
12 in the year following the regular general election at which they
13 were elected. Appointed members of the board of education shall
14 serve a term concurrent with the term of the governor and shall
15 sit until their successor is appointed and qualified.

16 d) A member of the board of education shall be
17 qualified to vote in the Commonwealth, at least twenty-five
18 years of age, and a resident and domiciliary of the Commonwealth
19 for at least five years immediately preceding the date on which
20 the member takes office. A longer residency and domicile
21 requirement may be provided by law.

22 e) The public elementary and secondary education
23 system shall be guaranteed an annual budget of not less than
24 fifteen percent of the general revenues of the Commonwealth.
25 The budgetary appropriation may not be reprogrammed for other

1 purposes, and any unencumbered fund balance in a fiscal year
2 shall be available for reappropriation,

3 Section 2. Higher and Adult Continuing Education.

4 a) The legislature shall establish by law a
5 Northern Marianas College that shall be headed by a president.
6 The president of the college shall be appointed by a representative
7 board of regents. The board of regents shall be appointed to
8 staggered terms by the governor and shall formulate policy and
9 exercise control over the college through the president. The
10 composition of the board of regents and other matters pertaining
11 to its operations and duties shall be provided by law.

12 b) The mission of the college shall be to
13 provide the best quality and meaningful postsecondary and adult
14 educational opportunities for the purpose of improving the
15 quality of life for the individual and for the Commonwealth as
16 a whole. The college shall be responsible for providing
17 education in the areas of adult and continuing education,
18 postsecondary and adult vocational education and professional
19 development for the people of the Commonwealth.

20 c) The college shall be guaranteed an annual
21 budget of not less than one percent of the general revenues
22 of the Commonwealth. The budgetary appropriation may not be
23 reprogrammed for other purposes, and any unencumbered fund balance
24 in a fiscal year shall be available for reappropriation."
25

ADOPTED, AS AMENDED, BY THE COMMITTEE OF THE WHOLE AND
THE CONVENTION ON JULY 20, 1985

SECOND NORTHERN MARIANAS
CONSTITUTIONAL CONVENTION, 1985

COMMITTEE RECOMMENDATION NO. 64

A PROPOSED CONSTITUTIONAL AMENDMENT

To repeal Section 13 of Article III, and to amend Article XV
relative to education.

BE IT ADOPTED BY THE SECOND CONSTITUTIONAL CONVENTION:

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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 on the second Monday of January 1988, Section 13
2 of Article III is repealed.

3 II. Effective on the second Monday of January 1988, Article XV
4 is amended to read:

5 "ARTICLE XV: EDUCATION:

6 Section 1. Elementary and Secondary Education.

7 a) Every person in the Northern Mariana Islands
8 shall have the right to free, compulsory and public
9 elementary and secondary education within age and
10 educational levels provided by law. The educational
11 system shall recognize the distinct and unique cultural
12 heritage and indigenous way of life of the people and
13 shall be committed to provide for the language needs of
14 the people and the preservation of ^{their} cultural integrity
15 within a global community.

16 b) Administration of the public elementary and
17 secondary system of the Commonwealth shall be the
18 responsibility of a superintendent of education appointed
19 by a representative board of education. The board of
20 education shall formulate policy and exercise control over
21

1 the public school system through the superintendent.

2 Other matters pertaining to its operations and duties
3 shall be provided by law.

4 c) The board of education shall have not less
5 than five or more than seven members, one of whom shall be
6 elected on a nonpartisan basis from the first senatorial
7 district, one of whom shall be elected on a nonpartisan
8 basis from the second senatorial district, two of whom
9 shall be elected on a nonpartisan basis from the third
10 senatorial district, and the remainder of whom shall be
11 appointed by the governor with the advice and consent of
12 the senate. At least one member of the board of education
13 shall be a woman and at least one member shall be a person
14 of Carolinian descent. In the event that neither a woman
15 or a person of Carolinian descent is elected, the Governor
16 shall appoint three members in such manner as to fulfill
17 the requirements of this section. In the event that
18 either a woman or a person of Carolinian descent is
19 elected, but not both, the Governor shall appoint two
20 members in such manner as to fulfill the requirements of
21 this section. In the event that both a woman and a person
22 of Carolinian descent are elected the Governor shall
23 appoint one member. Elected members of the board of
24 education shall serve a term of four years commencing on
25 the second Monday of January in the year following the
26 regular general election at which they were elected.
27 Appointed members of the board of education shall serve
28 until their successor is appointed and qualified following
29 an election at which the governor is elected.

30 d) A member of the board of education shall be
31 qualified to vote in the Commonwealth, at least

1 twenty-five years of age, and a resident and domiciliary
2 of the Commonwealth for at least five years immediately
3 preceding the date on which the member takes office. A
4 longer residency and domicile requirement may be provided
5 by law.

6 e) The public elementary and secondary education
7 system shall be guaranteed an annual budget of not less
8 than fifteen percent of the general revenues of the
9 Commonwealth.

10 Section 2. Higher and Adult Continuing Education.

11 a) The legislature shall establish by law a
12 Northern Marianas College that shall be headed by a
13 president. The president of the college shall be
14 appointed by a representative board of regents. The board
15 of regents shall be appointed to staggered terms by the
16 governor and shall formulate policy and exercise control
17 over the college through the president. The composition
18 of the board of regents and other matters pertaining to
19 its operations and duties shall be provided by law.

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21 provide the best quality and meaningful postsecondary and
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24 the Commonwealth as a whole. The college shall be
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28 people of the Commonwealth.

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30 budget of not less than one percent of the general
31 revenues of the Commonwealth."