

June 5, 1995

Memorandum for the Chair, Committee on Land and Personal Rights

From: Legal team

Re: Issues before the Committee with Respect to Article XII,
Land Alienation

This memorandum lists the issues raised by sections within Article XII in order ranked by their apparent complexity or controversial nature, with the least complex and controversial first. The order also suggests issues that may logically flow one to another. This is intended to provide a starting point from which the Chair, in consultation with the Committee on Organization and Procedure, can set an agenda for the committee's work.

As of June 5, 1995, counsel had received 9 proposals to amend Article XII. It is likely that lawyers advising individual delegates will have other proposals to submit after the committee's work begins.

1. Section 4: Definition of Northern Marianas Descent

The 6 proposals dealing with the definition of Northern Marianas descent raise two principal issues:

- a) the percentage requirement of Northern Marianas "blood", current set at 25% -- should this be lowered or eliminated?
- b) how should adopted children be treated?

2. Section 5: Corporations

One proposal suggest changing the 100% Northern Marianas descent ownership that was added in the 1985 amendments back to the 51% ownership requirement that was in the 1976 constitution.

3. Legislative matters

There are two proposals to remove provisions added by the 1985 constitutional convention that counsel has identified as essentially legislative in nature.

Committee to get its recommendations on established articles of the constitution to the floor of the Convention before tackling any brand new articles or matters not assigned to other committees.