

THIRD NORTHERN
MARIANA ISLANDS
CONSTITUTIONAL CONVENTION

VERBATIM JOURNAL

SECOND DAY

Tuesday, June 6, 1995

PRESIDENT GUERRERO: Second day of the Third Constitutional Convention is hereby called to order.

Can we stand up and have a moment of silence?

(A moment of silence was had.)

PRESIDENT GUERRERO: Thank you.

Con-Con Clerk, roll call, please.

(The Convention Clerk called the roll, and all Delegates were present.)

CONVENTION CLERK: Mr. President, we have 27 delegates present.

PRESIDENT GUERRERO: Thank you.

Before we move to adopt the journals, I would like to explain the differences between the Summary and Daily Journals.

The Summary Journal has been prepared and signed by the Convention Clerk. This Summary Journal just lists the principal actions taken by the Convention. It does not report everything.

The Daily Journal, on the other hand, has been

prepared by the court reporter, and we have him right in front of us, Les Martin. This is a verbatim transcript of our proceedings. It has been distributed to all the Delegates for any corrections before it is signed by the Convention Secretary. If there are any corrections that a Delegate wants to make, please see our counsel, Bernard Zimmerman. He will coordinate with the reporter to get the corrections made.

In regard to votes, I know we have the three official languages, but it makes it difficult for our court reporter to figure out what you are saying. So I ask the indulgence, as much as possible, to please record your vote in English. If you want to say it also in Chamorro, so be it. If you can, state it in English so the court reporter can get it down accurately. If you want to make remarks in Chamorro or Carolinian, that is all right; but the vote needs to be in English for the record. I ask the indulgence of the Delegates.

Yes, Delegate Maratita.

DELEGATE MARATITA: Thank you, Mr. President. On the production of journals, I don't know if I'm mistaken, but I only have page 35 of the verbatim journal.

PRESIDENT GUERRERO: You only have page 35?

DELEGATE MARATITA: 1 through 35.

DELEGATE TENORIO: Same here.

PRESIDENT GUERRERO: It should be up to page 47. The back has up to 47, and the front has up to 35.

DELEGATE TAITANO: Mr. President, before we move on to other business, is the Con-Con considering looking into the hiring of translators, Carolinian and Chamorro?

PRESIDENT GUERRERO: Can we take that up on "Other Matters"? We do want to do that, but we need to look around in terms of who can provide translators for both Chamorro and Carolinian.

DELEGATE TAITANO: Thank you.

PRESIDENT GUERRERO: What do you want to do? Do you want to have a short recess to get these corrections?

(Everyone agreed.)

PRESIDENT GUERRERO: Recess for five minutes. We'll find the rest of the copies.

(A recess was taken from 10:40 A.M. to 10:52 A.M.)

PRESIDENT GUERRERO: This meeting is called back to order.

At this time, I would like to call on the Floor Leader.

DELEGATE HOCOG: Mr. President, I move to adopt our journal, June 5th journal.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to adopt the journal of the first day.

Discussion?

The journal or the summary? Can we take one at a

time?

DELEGATE HOCOG: The adoption of, I believe, item 4 of the agenda, Mr. President, "Adoption of the Journals."

PRESIDENT GUERRERO: Can we take the Summary Journal first?

DELEGATE HOCOG: So moved.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to adopt the Summary Journal of the first day.

Discussion?

Delegate Aldan.

DELEGATE VICENTE ALDAN: Mr. President, I would like to make a correction, unless our Floor Leader wants to be part of the Aldan family.

On page 21, it should be --

PRESIDENT GUERRERO: Can we take the Summary Journal first? Can we wait until we get to that?

Delegate Manglona.

DELEGATE MANGLONA: Point of information, Mr. President.

I wonder whether or not there is a time frame given to each Delegate to make any modification in his or her statements before the journal is finalized.

Is there a deadline on that, 24 hours or what?

PRESIDENT GUERRERO: Basically, you need to have corrections to the verbatim Daily Journal within 24 hours;

otherwise, the transcript will be deemed approved.

DELEGATE MANGLONA: Thank you, Mr. President.

PRESIDENT GUERRERO: Delegate Villagomez.

DELEGATE VILLAGOMEZ: You talk about a Summary Journal.

I don't have a copy.

PRESIDENT GUERRERO: It's in the package, the second page. It says "Summary Journal, First Day, Monday, June 5th."

DELEGATE VILLAGOMEZ: I got it.

PRESIDENT GUERRERO: There were some minor corrections that I requested of legal counsel. On line 5, the adoption of Interim Rules for the election of the President, and then insert:

"Recommended by the Rules Subcommittee of the Pre-Convention Committee."

And then another sentence:

"The President Pro Tem stepped down pursuant to the Interim Rules and asked Delegate Victor Hocog to serve as the President Pro Tem."

And on No. 8, there should be another sentence in front of that, after the "Other Matters," it should read:

"The President announced the appointment of Delegate Victor Hocog as the Floor Leader for the Convention."

DELEGATE HOCOG: Mr. President, I ask that the clerk make

the necessary corrections.

PRESIDENT GUERRERO: Delegate Villagomez.

DELEGATE VILLAGOMEZ: That's my point. I think it would be proper to include your appointment of Delegate Hocog as Floor Leader in the Summary Journal.

PRESIDENT GUERRERO: It's being corrected so we have it reflected in the Summary Journal.

Yes, Delegate Manglona.

DELEGATE MANGLONA: Yes. I wonder why we need a Summary Journal. Why shouldn't we just have those matters included in the verbatim Daily Journal?

PRESIDENT GUERRERO: Because the verbatim Daily Journal might not be available on the next day. It might be a couple of days. So if that's the case, we need to at least approve a summary of what we did the day before.

This is the process that was followed in the first, as well as the second, convention so we have some idea what transpired the previous session day.

We're rather fortunate that we have a good court reporter, and as he types his steno record, it's being transcribed by the computer, so, hopefully, we can have a verbatim journal available every day.

And if, also, members start talking Chamorro, it might take a while to have that typed in and transcribed.

So that's why it's necessary that we have a Summary

Journal.

Any other comments?

DELEGATE HOCO: Ready.

PRESIDENT GUERRERO: Delegate Tomas Aldan?

DELEGATE TOMAS B. ALDAN: It's required in the --

PRESIDENT GUERRERO: Can you speak into the mike, please?

DELEGATE TOMAS B. ALDAN: The Summary Journal is also required under Rule 14.

PRESIDENT GUERRERO: Can you turn your mike on? Please turn all your mikes on, and make sure it's working.

DELEGATE TOMAS B. ALDAN: The submission of the Summary Journal is required under Rule 14 which says that a daily journal shall be summarized and that should be available to the Delegates at the beginning of each of the meetings, so that's why we should have a summary.

Thank you.

PRESIDENT GUERRERO: Okay. If there are no further comments or amendments to the Summary Journal, those in favor of approving the Summary Journal for the first day of the Convention, please say "Aye."

Those opposed, say "Nay."

(The motion carried.)

PRESIDENT GUERRERO: Motion carried.

PRESIDENT GUERRERO: Mr. Floor Leader.

DELEGATE HOCO: Mr. President, I now move to adopt the

Journal of June 5th.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to adopt the verbatim journal, first day, Monday June 5th, 1995.

Discussion?

DELEGATE VICENTE ALDAN: Correction.

PRESIDENT GUERRERO: Delegate Aldan.

DELEGATE VICENTE ALDAN: Page 27, Delegate -- that's Delegate Victor -- I hope not Aldan -- page 21, sorry.

It's on the voting section, "NO: Delegate Victor Aldan."

PRESIDENT GUERRERO: For the information of the Delegates, since we're giving the members an opportunity to review this document, it might not be necessary that we adopt this at this time. So you can submit your comments and recommendations, and we'll officially adopt it tomorrow.

DELEGATE HOCOG: Okay. For that reason, Mr. President, I would like to withdraw the motion to adopt the journal.

PRESIDENT GUERRERO: Thank you, Mr. Floor Leader.

Delegate Aldan-Pierce.

DELEGATE ALDAN-PIERCE: A further correction on that. I believe it should read "Delegate Vicente Aldan," this is not "Victor." This is on the roll call.

PRESIDENT GUERRERO: That's right.

DELEGATE ALDAN-PIERCE: Delegate Hocog was up on top,

under "Yes."

PRESIDENT GUERRERO: Yes. Delegate Lillian Tenorio.

DELEGATE TENORIO: Delegate Taro-Atalig is also misspelled. It should be "Taro," not "Taroa."

UNIDENTIFIED VOICE: That is Samoan.

DELEGATE HOCOG: Mr. President, may I again ask the Clerk to make the necessary corrections?

PRESIDENT GUERRERO: Yes. Please submit any additional corrections to our legal counsel, Bernard Zimmerman, on the Daily Journal.

We move to the next order of business, item 5. Since we just started the Convention, there is no report of the committees.

DELEGATE HOCOG: Mr. President?

PRESIDENT GUERRERO: Yes.

DELEGATE HOCOG: I would like, on item 6 on today's order of business, to call a short recess so that the President can advise the Delegates on this item of the agenda.

PRESIDENT GUERRERO: Short recess.

(A recess was taken from 11:02 A.M. to 11:25 A.M.)

PRESIDENT GUERRERO: The session is called back to order.

I think we have a consensus on what we need to do. Again, let me re-emphasize that those proposals that have been prefiled during the Pre-Con Committee time, numbered, signed, and turned in to the Convention Clerk, we're going to introduce

those as a package.

Those that have been prefiled, numbered, and signed that you have a reservation on or that you don't want to introduce at this time, once the motion is put forth, please raise your hand and let us know which ones you don't want to be included in the package.

And, also, for those proposals introduced by numbers, the Delegates will be allowed to sign on any of the proposals, if you would like to get co-sponsors from other Delegates.

So we have some understanding on this one, and we're doing that basically just for today.

Let me call on the Floor Leader to make a motion.

DELEGATE HOCOG: Mr. President, I move that the proposals that are prefiled, numbered, and signed by the introducer be deemed to have been introduced in today's session.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to consider those proposals that have been prefiled, numbered, signed, and turned over to the Convention Clerk as introduced before the Convention.

Discussion?

DELEGATE MANGLONA: Point of information.

PRESIDENT GUERRERO: State your point of information.

DELEGATE MANGLONA: What about those proposals that are

not prefiled, not numbered, and not signed?

PRESIDENT GUERRERO: Delegate Manglona, let's dispose of this motion. If you want to introduce those, you'll be allowed to. I will recognize you.

DELEGATE MANGLONA: I'll be voting on the motion. That's why I'm asking. I have a proposal that I asked the legal counsel to draft. It has been assigned a number, but I have not signed it.

PRESIDENT GUERRERO: Then it will not be included in the package.

DELEGATE MANGLONA: Okay. That's the information I needed to know.

PRESIDENT GUERRERO: Discussion?

Let me recognize Delegate Lillian Tenorio.

DELEGATE TENORIO: Thank you, Mr. President. I'm not introducing, in fact, I want to withdraw, my Delegate Proposal 144 and 145. These proposals will not be before the Convention for consideration. Thank you.

PRESIDENT GUERRERO: Delegate Villagomez.

DELEGATE VILLAGOMEZ: Mr. President, I think the motion was that the proposals prefiled, numbered, and signed be introduced. And what you just stated on the motion is that it be turned in. Maybe the Floor Leader needs to clarify that to be those that are prefiled, numbered, signed, and turned in are deemed to be introduced.

PRESIDENT GUERRERO: Mr. Floor Leader, would you please clarify your motion?

DELEGATE HOCOG: For the last time, Mr. President, the motion is to consider all those prefiled proposals, numbered, and returned to the introducer of such proposal be considered deemed introduced on today's session.

PRESIDENT GUERRERO: Let me restate that. Basically, you are saying in the motion that those that have been prefiled, numbered, signed, and turned in to the --

DELEGATE HOCOG: Turned into the legal counsel.

PRESIDENT GUERRERO: Convention Clerk.

DELEGATE HOCOG: Convention Clerk, yes.

PRESIDENT GUERRERO: That's it. Did you get that correctly? Is that clear for you, Delegate Villagomez.

DELEGATE VILLAGOMEZ: You never mentioned introduced to the Convention Clerk.

DELEGATE HOCOG: I just mentioned that. Those are deemed introduced in today's session.

DELEGATE VILLAGOMEZ: Okay.

PRESIDENT GUERRERO: Delegate Igitol.

DELEGATE IGITOL: Mr. President, I think --

DELEGATE HOCOG: Has the motion been seconded, Mr. President?

PRESIDENT GUERRERO: Yes. It has been moved and seconded. We're now in discussion.

Delegate Igitol.

DELEGATE IGITOL: Just to clarify things. What is going to be introduced today as the package are those prefiled proposals, and what we are going to do today is ratify those; right?

PRESIDENT GUERRERO: Introduce them as a package.

DELEGATE IGITOL: Those were prefiled before the session.

PRESIDENT GUERRERO: Prefiled. We're introducing them formally today.

DELEGATE IGITOL: And not ratifying them?

PRESIDENT GUERRERO: No. Those proposals will be referred to the appropriate committees.

DELEGATE IGITOL: Thank you.

PRESIDENT GUERRERO: Next in line is Delegate Quitugua and then Delegate Gonzales.

DELEGATE QUITUGUA: Mr. Chairman, (statements not in English).

(All agreed.)

PRESIDENT GUERRERO: Delegate Gonzales.

DELEGATE GONZALES: Pursuant to the motion, I would like to withdraw at this time Proposal 34. Thank you.

PRESIDENT GUERRERO: Delegate Tom Aldan and then Don Mendiola.

DELEGATE TOMAS B. ALDAN: I wonder if it would be clearer if we wait until those proposals that we're adopting today as

introduced have been provided to the members so that we know exactly what we are approving or what we are discussing and that would be approved as introduced.

Maybe it would resolve a lot of questions. We don't know whether it has been referred to the legal counsel or referred to the clerk. We don't know if it's in the binder that is going to be adopted today.

DELEGATE MARATITA: Mr. President.

DELEGATE TOMAS B. ALDAN: Maybe we can wait until tomorrow.

DELEGATE MARATITA: Mr. President, can I move for a short recess?

PRESIDENT GUERRERO: Okay. Short recess.

(A recess was taken from 11:41 A.M. to 11:42 A.M.)

PRESIDENT GUERRERO: I hereby reconvene this Convention, the second day session.

Delegate Tom Aldan.

DELEGATE TOMAS B. ALDAN: Thank you, Mr. President.
Motion to end debate.

PRESIDENT GUERRERO: It has been moved to end the debate.

(The motion was seconded.)

PRESIDENT GUERRERO: Those in favor of the motion, please say "Aye."

Those opposed, say "Nay."

(A voice vote was taken and the motion was carried.)

PRESIDENT GUERRERO: Motion carried to end debate.

We're voting on the motion that was put forth by the Floor Leader.

DELEGATE HOCO: Ready for the question.

PRESIDENT GUERRERO: Should this be a voice vote?

Those in favor of the motion please say "Aye."

Those opposed, say "Nay."

(A voice vote was taken and the motion was carried.)

PRESIDENT GUERRERO: Do any other members have any proposals that they have in front of them?

Let me recognize Delegate Bennet Seman first.

DELEGATE SEMAN: I would like to submit a proposal for an amendment that provides that casino gambling is prohibited unless individual Senatorial districts approve it. Casino gambling may not be permitted by the Legislature on a Commonwealth-wide basis.

PRESIDENT GUERRERO: Is that it?

Please turn the document over to the Convention Clerk.

DELEGATE SEMAN: I invited all my Delegate colleagues to co-sponsor this. I already have six sponsors on this proposed amendment.

PRESIDENT GUERRERO: Delegate Villagomez and then Delegate Manglona.

DELEGATE VILLAGOMEZ: Mr. President, thank you.

I have five proposals that I've numbered and not turned in. I'll say my numbers: My proposal 206, 202, 204, 203, 205.

DELEGATE HOCOG: Mr. President, I would like Delegate Villagomez to read them since the proposal has not been introduced or prefiled. It would be for the best interest of the Delegates.

PRESIDENT GUERRERO: Delegate Villagomez, please give a summary of your proposals.

DELEGATE VILLAGOMEZ: My proposal 202 provides that an executive order issued by the governor must be approved by two-thirds vote of two houses.

My proposal 203 provides that no temporary public auditor may serve for more than 60 days unless it's approved by a two-thirds vote of both houses.

My proposal 204 provides for the submission by the governor to the legislature of a balanced bi-annual budget six months before the start of each bi-annual budget year.

My proposal 205 provides that if the House or Senate does not take final action within 90 days on any proposed appointment which requires confirmation, the appointment will be deemed to have been confirmed.

My proposal 206 establishes a five person Commonwealth Environmental Protection Board.

I ask my colleagues for their support.

PRESIDENT GUERRERO: Thank you, Delegate Villagomez.
Delegate Manglona.

DELEGATE MANGLONA: Yes, Mr. President. I have nine Delegate proposals to introduce, and in the interest of time, I'd like to just reference them by Delegate Proposal number.

I'll start with Delegate Proposal No. 111, 112, 117, 150, 151, 152, 217, 218, and 219.

Thank you.

PRESIDENT GUERRERO: Thank you.
Delegate Quitugua.

DELEGATE QUITUGUA: Yes, Mr. President. I would like to introduce Delegate Proposal No. 49.

PRESIDENT GUERRERO: Can you speak into the mike? We're losing you.

DELEGATE QUITUGUA: I would like to introduce Delegate Proposal No. 49.

I also would like to take the same opportunity. Because of time, I will just name the number. This proposal is signed by two-thirds of the Delegates.

PRESIDENT GUERRERO: Thank you.

Are there any other proposals to be formally introduced? If not, we move to the other business.

We don't have any second and final reading at this time.

Item 8 is motions and resolutions. Are there any

motions or resolutions to be introduced?

If not, any unfinished business from yesterday?

If not, there are no special orders of the day.

There are no general orders of the day.

We're now under "Miscellaneous."

Delegate Villagomez.

DELEGATE VILLAGOMEZ: Mr. President, in view of the veto of House Bill 9-402 by the Governor, which included our additional \$300,000, I ask the leadership, or the lead counsel, to come up with a draft and work with both House and Senate leadership to enact a new bill, appropriation bill, that will provide us that needed funding.

As I understand from Delegate Hocog, Chairman of the Administrative subcommittee during the Pre-Convention, the present \$300,000 budget will only last us up to July 15. So I ask your action. I understand that Congressman Heinz Hofschneider is taking a lead in coming up with a new bill.

PRESIDENT GUERRERO: There is a bill that has been prefiled in the House. I don't know if it has been introduced. I think it's 9-419. I have it in here somewhere. That also puts back the amount. The figure is slightly wrong and I have already made it known to the author, as well as the co-sponsors of that bill. We're working on insuring that we have adequate funding for the Convention.

Thank you for your concern.

Delegate Igitol.

DELEGATE IGITOL: Mr. President, just to go back to these things that were passed out to the Delegates, the Journals that we have that were passed out, can we have standard numbering on pages --

PRESIDENT GUERRERO: Can you please turn on your mike? You are not being recorded. Can you turn it on so we know what you are saying, we can hear what you are saying?

DELEGATE IGITOL: I'm talking about these pages that were passed out to the members, Delegates. Can we have standardized pages? We have some where we put the page numbers on the bottom, some on the top, and some conflicts with the page numbers. That would be easier.

PRESIDENT GUERRERO: Delegate Igitol, basically the numbering system, and we were talking about it earlier, the lower part is when you start numbering the verbatim journals, we look at them at the bottom. When you start counting the attachments then you start counting from the top. That will be the sequential numbering system that we will continue with.

We'll have a memo for everybody so we can explain this one.

Anything else under "Miscellaneous"?

Delegate Tom Aldan.

DELEGATE TOMAS B. ALDAN: Mr. President, I have a couple of remarks I would like to share with the Delegates.

First off, I would like to congratulate you for being elected President. I offer you my assistance in carrying out the mandate of your office, and most importantly, in completing the tasks we are elected to do.

I look forward to your guidance and help in meeting my goals and objectives for this short period that we will work as colleagues.

Most importantly, I am seeking and asking each one of you for your help and guidance in the task at hand. It is an honor to be elected to serve.

However, I am not the only one elected. To be exact, there are 27 of us. Each has a mission to accomplish. The accomplishment we will produce will not be that of Tomas Aldan; rather, it will be the accomplishment of the Third Northern Mariana Islands Constitutional Convention.

The people will not remember who made the proposal, but that it is the work of the Third Constitutional Convention. We all need one another to be successful. We all must keep an open mind and support proposals one thinks are good and will benefit the Commonwealth now and for years to come.

I seriously doubt that any one of us knows who is the author of Amendment 1 during the Second Constitutional Convention, except maybe those that served during the Convention. The point is that we only remember the product of the Convention and not who sponsored the amendment.

If we keep this in mind and the fact that we need to work together, I am certain that we will be proud to say I was a part of the Third Constitutional Convention.

If the Convention fails, we will all fail. If we succeed in producing amendments that will withstand the tests of time, we will all succeed.

As such, I'm not here for any one of you or for any one individual or for any special interest group. I am here to work for the people.

Therefore, I ask each of you to give your heart and soul to this forum and the people we serve the best way you can.

There is no room in this forum for vendetta and ill-feelings, but there is plenty of room for constructive criticism, team work, and the feeling of oneness.

Our people expect and deserve the best from each of us. Nothing more. Nothing less.

Thank you.

(Applause.)

PRESIDENT GUERRERO: Thank you for your words of inspiration.

Delegate Manglona.

DELEGATE MANGLONA: Yes. I want to ask the Chair when will the Chair be ready to publish the assignment of committee members?

PRESIDENT GUERRERO: Perhaps later on this afternoon.

Since I have not formally appointed the Committee on Organization and Procedures, as well as the other leadership, I cannot make the appointment to the committees at this time. I need the approval of the Committee on Organization and Procedures. Hopefully, by tomorrow something will be out.

Delegate Tom Aldan.

DELEGATE TOMAS B. ALDAN: I'm seeing a lot of staff. I really don't know who they are. I think it would be nice if you would call all the staff in and introduce them or have them introduce themselves.

Of course, I know Mr. Willens and Mr. Zimmerman and the Clerk.

PRESIDENT GUERRERO: Most of our staff are the ones that you saw at the Pre-Convention office.

What you're seeing, since we are sharing this space with the legislature, a lot of people who are running around are legislative staffs and the personal staffs of the Congressmen.

We should have something, perhaps tomorrow, and we can introduce our staff for the Convention.

Any other thing under "Miscellaneous"?

DELEGATE HOCOG: Move for adjournment.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to adjourn.

DELEGATE HOCOG: Subject to the call of the Chair.

PRESIDENT GUERRERO: Subject to the call of the Chair.

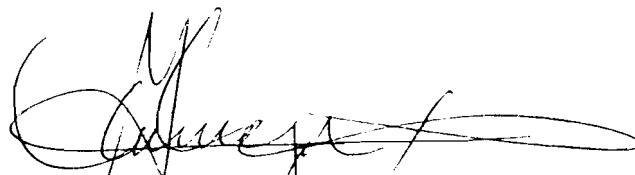
Those in favor say "Aye."

Those opposed, say "Nay."

(A voice vote was taken and the motion was carried.)

(The Convention recessed at 11:55 A.M.)

Respectfully submitted,



Convention Secretary