

# ConCon proposals outlined

Over 300 proposals to date have been introduced during the Third Northern Marianas Constitutional Convention which began June 5, 1995 at the House Chamber on Capitol Hill. Many of the proposals are identical, and the four outstanding committees have already been assigned the proposals.

Some of the proposals deals with controversial subjects, such as casino gambling land alienation under Article 12, reducing the size of the Legislature, the government's annual budget, Education, as well as with issues involving the powers of the Mayors under Amendment 25.

Delegates John Gonzales, Marylou Sirok, Jack P. Villagomez, Bennett T. Seman, and Joey P. San Nicolas all offered proposals dealing with casino gambling. The proposed amendments provides that any new authorization for gambling may be approved only in a popular initiative.

The other proposal provides that gambling may be approved only by individual senatorial district by popular initiative. Still another proposes that casino gambling may not be imposed by the Legislature on a Commonwealth-wide basis (Proposals Nos. 93, 105, 162, 169, and 177).

The subject of annual budget, a source of great controversy annually between the House and Senate of the Legislature, and the Governor, is receiving a great deal of attention by several delegates.

Del. Proposal No. 64 provides that if a balanced budget is not approved before the first day of the fiscal year, the Governor shall cease all public services except those essential to public health and public safety, introduced by Del. Justo S. Quiingua of Rota. An identical proposal (No. 73) was offered by Del. James M. Mendiola of Tinian. President Herman T. Guerrero submitted a somewhat different version of the budget proposal.

His proposal provides that if the Legislature does not enact a budget by October 1, the Governor's budget would go into effect as submitted, less any new tax revenues recommended but not enacted, (Proposal No. 73.)

If the Legislature later enacts a new budget, according to Guerrero's proposal, that would take precedence, but would have to account for any funds already obligated.

A number of proposals dealing with the Legislature were introduced. Del. Jack P. Villagomez offered a proposal to reduce the number of members of the House of Representatives from 18 to nine, with seven from Saipan and one each from Tinian and Rota, all to be elected at-large (Proposal No. 16).

He also proposes to increase the term of office for the Senate from four to six years, and places a term limit of its members to two consecutive terms (Proposal No. 19).

Del. Villagomez's Proposal No. 17 provides to increase the term of office for the House of Representatives from two years to four years, and limit to two terms for members. He also proposes to reduce the size of the Senate from nine to six, and provides that the Lieutenant Governor shall



Jack P. Villagomez

No. 18).

Villagomez, formerly the Administrator of the Coastal Resources Management Office, also submitted a proposal to change the Legislature from a full-time to part time, serving one month in the spring and one month in the fall of each year (Proposal No. 14).

Del. John Gonzales introduced a proposal that would provide for reduction of the members of the House from 18 to 11, with nine from Saipan and one each from Tinian and Rota, all to be elected at large (Proposal No. 29).

Delegates Juan S. Tenorio and Tomas B. Aldan co-authored a proposal (No. 204) to impose term limits on the Legislature of two consecutive terms in the same office. The terms would not include any terms served prior to the effective date of this amendment.

Another Proposal (No. 15) by Del. Villagomez would increase the budget ceiling for the Legislature from \$2.8 million to five million dollars annually, while Concon President Guerrero proposes to delete the specific amount for legislative salaries so that the lawmakers will receive an annual salary and reasonable allowances for expenses as provided by law (No. 3). President Guerrero's version on Proposal N. 5 would delete the budget ceiling for the Legislature from the Constitution altogether.

Another potentially controversial subject is abortion. Under the current Constitution, the 1985 Delegates added a section prohibiting abortion "except as provided by law."

In the opinion of the Third Constitutional Convention's legal counsel, this is unconstitutional and should be dealt with better by the Legislature.

So Concon President Guerrero offered Proposal No. 11 to do away with Article 1, Section 12 regarding abortion.

The Public School System is also receiving a lot of attention by several delegates in the Third Constitutional Convention. De. Proposal No. 71 would do away with both an elected and appointed Board of Education and put the Public School System under the Executive Branch headed by a Superintendent of Education appointed by the Governor, introduced by President Guerrero.

Del. Juan S. Tenorio offered Proposal No. 199 to change the Board



John Gonzales

members of the Board of Education, a system that was in place prior to 1985.

Proposals dealing with the requirement eligibility as a person of Northern Marianas descent were introduced.

Delegates John Gonzales and Marylou Sirok proposes to have the requirement from one quarter (25 per cent) to one sixteenth (6.25 per cent) Northern Marianas Chamorro or Northern Marianas Carolinian blood, (Proposal No. 36).

Delegates Juan S. Tenorio and Tomas B. Aldan wanted to change that from 25 per cent to "any per cent", and institute a system within the Immigration Department so that everyone who claims to be of Northern Marianas descent can be listed, (Proposal No. 207).

Gonzales and Sirok also proposes to delete the language that allows the adopted child a person of Northern Marianas descent to qualify as a person of NMI descent if the person is adopted while under the age of 18,



Juan S. Tenorio

(Proposal No. 35).

Delegates Tenorio and Aldan submitted Proposal No. 208 that provides for adopted children of persons of Northern Marianas descent can hold fee simple title to land only if they receive it by inheritance from their adopted parents. But adopted children would not become persons of Northern Marianas descent for all purposes, according to Tenorio's and Aldan's proposal.

Rota Del. Benjamin T. Mangiona and several others introduced a proposal calling for an elected attorney general, on a non-partisan basis, for a six-year term, (Proposal No. 112).

Tinian Del. James M. Mendiola offered an identical proposal (No. 136), except that his provides for a four-year term of office, co-extensive with the term of the Governor and the Lieutenant Governor, run on the same ticket with the Governor, and limit the term to two consecutive terms. Del. Joey P. San Nicolas proposes the same under Del. Proposal No. 173.

Del. Mangiona and several others offered a proposal (No. 111) that would authorize the Governor to appoint Judges in the Commonwealth Superior Court and Supreme Court for an initial six-year term.

Thereafter, he would run for election on a non-partisan basis, and the question put to the people would be whether this particular Judge should be retained for a 12-year term. An identical proposal (No. 119) was introduced by President Guerrero.

Two proposals dealing with the Governor's executive powers to reorganize the Executive Branch were introduced, one by Del. Joey P. San Nicolas of Tinian and Del. Jack P. Villagomez. Del. San Nicolas and several others introduced Proposal No. 174 changes the requirement for Legislative approval of the Governor's executive orders from a simple majority of each House of the Legislature to 2/3 vote of each house of the Legislature.

Del. Villagomez proposes that 2/3 vote of both houses present and voting are required before the reorganization order can become effective, (Proposal No. 272).

Currently, the Constitution provides that the Governor's Executive Order becomes effective 60 days after submission to the Legislature, unless modified or disapproved by a majority of the members of each house of the Legislature.

Delegate Proposal No. 147 introduced by Del. Lillian S. Tenorio and several other delegates provides that the Legislature may not enact a law except after three readings, and each of the three readings must take place on three separate calendar days. The vote on the third reading may take place only after printed copies of the

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