

THIRD NORTHERN
MARIANA ISLANDS
CONSTITUTIONAL CONVENTION

DAILY JOURNAL

FIFTEENTH DAY

Monday, June 19, 1995

PRESIDENT GUERRERO: The 15th day of the Third Northern Marianas Constitutional Convention is called to order.

At this time, we will have a moment of silence in respect to the mother of one of our Delegates, Delegate Camacho. Please stand up and let's have a moment of silence.

(A moment of silence was had.)

PRESIDENT GUERRERO: Thank you.

Just a preliminary matter. There is an announcement that after the completion of the plenary session today, the Committee on Executive Branch and Local Government will have their meeting, I believe, here in the chamber.

Roll call, Con-Con Clerk.

(The Convention Clerk called the roll, and all members were present except Delegate Donald Mendiola and Delegate San Nicolas.)

CONVENTION CLERK: Mr. President, we have 25 present and two absent.

PRESIDENT GUERRERO: Thank you. We're in the adoption of journals.

Mr. Floor Leader.

DELEGATE HOCOG: Mr. President, I would like to move to adopt the 3rd through the 13th day Daily Journal.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to adopt the Daily Journal from the 3rd to the 13th day.

Discussions?

If not, those in favor of the motion please say "Aye."

(All agreed.)

Those opposed, say "Nay."

Motion carried.

(The motion carried.)

Mr. Floor Leader.

DELEGATE HOCOG: Mr. President, I would like to move to adopt the Summary Journal for the 3rd day and 11th day.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to adopt the Summary Journal for the 3rd day and 11th day.

Discussions?

Yes, Delegate Villagomez.

DELEGATE VILLAGOMEZ: Yes. June 7th Daily Journal, on page 300 and 304, there were statements made in Chamorro by Delegate Donald Mendiola which were not included. I think we should include that.

PRESIDENT GUERRERO: Where in the Summary Journal are you talking about? Are you talking in the Summary Journal or Daily Journal?

DELEGATE VILLAGOMEZ: The verbatim.

PRESIDENT GUERRERO: The verbatim is the Daily Journal. We're now discussing the Summary Journal.

DELEGATE VILLAGOMEZ: Could you take that into consideration to include the translations?

PRESIDENT GUERRERO: The translations are attached to the journals once they are finished, as part of the deliberation for that specific day.

DELEGATE VILLAGOMEZ: That's all I wanted to hear. Thank you.

PRESIDENT GUERRERO: Any other discussion on the Summary Journal?

If not, those in favor of the motion say "Aye."

(All agreed.)

Those opposed, say nay.

(None.)

Motion carried.

(The motion carried.)

We're now on the reports of the committees.

I wish to report the Committee on Organization and Procedures has scheduled Rota hearings for June 29 and 30. All four substantive committees will hold hearings at that time.

We will have one committee hearing in the morning and one committee in the afternoon on each day. The COP also has tentatively scheduled the Tinian hearing for July 7th and 8th. We will follow the same procedures there.

These are the initial hearings to get the views of the people of Rota and Tinian before we complete our first readings so that we make sure that their views are heard early in the process so that they can be given full consideration.

I'm asking that each committee chair to discuss with their committees the plans for these hearings so that the COP can coordinate and have them run efficiently. We will announce any further any plans as they are developed.

The public hearing notice is being put together for the Rota hearing.

The COP also has tentatively scheduled the Convention to be in recess on July 1st, 2nd, 3rd, and 4th. July 1st and 2nd are Saturday and Sunday. July 3rd is a Monday between the weekend and the holiday. July 4th is a day off for the holiday.

The COP believes the Convention is making good progress. We have had one committee meeting last Saturday, as well as today, and we may have to have more Saturday meetings as our schedule goes along. For now, we think we can afford this break.

We have a copy, a revised copy, of the convention

schedule for this week. Please note on this one that the public hearing that is scheduled for Thursday by the Executive Branch and Local Government has been cancelled, and in its place, the Committee on Legislative Branch and Public Finance is conducting public hearings.

There are also changes for Friday. The COP has agreed that, perhaps, the Committee on Land and Personal Rights be allowed to meet at 9:00 to 11:00 and break followed immediately by the Committee on Executive Branch and Local Government, and it should finish its deliberation by 1:30.

This is so the members will be allowed to pay their last respect to the mother of Delegate Camacho, as well as attend the funeral.

At this time, I would like to call on the Chair of the Committee of Land and Personal Rights to make an oral report.

DELEGATE LIFOIFOI: Thank you, Mr. President.

The Committee on Land and Personal Rights had a public hearing last Friday. In that public hearing, I know the members are not quite satisfied as to the turn out of the witnesses.

Therefore, the Committee on Land and Personal Rights met this morning and has decided to further hold another public hearing in the very near future. This public hearing is to be held in Garapan, the next public hearing, preferably in

the evening, weekday in the evening.

After that, we may call another public hearing somewhere in San Vicente or Dan Dan. I'll be working out the schedules as to the exact date of these public hearings.

Thank you, Mr. President.

PRESIDENT GUERRERO: Thank you, Chairman Lifoifoi.

At this time, I would like to call on Chairman Tom Aldan to report on the Committee of Legislative Branch and Public Finance.

DELEGATE TOMAS B. ALDAN: Thank you, Mr. President.

First, I would like to note for the Delegates that there will be a public hearing this coming Thursday at 1:30 in the Senate Chamber.

Basically, the public hearing will concentrate on the issues of legislative branch. The Committee has also scheduled a public hearing on Rota on the 29th at 9:00 A.M.

Finally, Mr. President, I move that the Committee report Nos. 1, 2, and 3 be calendared under special order of the day.

PRESIDENT GUERRERO: The second.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to calendar or to place on calendar under special orders of the day, the Committee report No. 1, 2, and 3.

Discussions?

Yes, Delegate Manglona.

DELEGATE MANGLONA: I don't have the proposal before me, so can the Chairman be kind enough to maybe briefly read the heading of each of his proposal 1, 2, and 3.

PRESIDENT GUERRERO: Yes.

The three committee recommendations has been given to all the members last Friday as part of the packages for June 15, I believe. Thursday? I stand corrected.

Mr. Chair, can you please read the list of titles of the report?

DELEGATE TOMAS B. ALDAN: Right off the top of my head, Mr. President, the report, No. 1 relates to domicile issues under Article VIII, section 3. That has been performed by the legislature and it's not necessary anymore for it to be in the Constitution.

The same for Article VII, section 3. It's basically the same provision. The legislature performed its duty, and it's not required to be in the Constitution.

Report No. 3 relates to the casino issue, Mr. President.

DELEGATE MANGLONA: Thank you.

PRESIDENT GUERRERO: Any other discussion?

Those in favor of the motion say "Aye."

(All agreed.)

Those opposed, say "Nay."

(None.)

Motion carried.

(The motion carried.)

At this time, I would like to call on Chairman Nogis to report on the Committee of Executive Branch and Local Government.

DELEGATE NOGIS: Yes, Mr. Chairman.

First of all, I would like to give a brief summary as to the Committee's effort with regard to Article III. That pertains to the Executive Branch.

Under section 2, the qualification of the Governor, Mr. President, the 10-year residency is maintained by the Committee.

The second item, the Governor has to be a U.S. citizen while running for office.

So far as the issue of section 4 regarding joint election with a Governor and the Lieutenant Governor, the Committee itself thinks that we should maintain the joint election instead of separate election in regard to officials.

On section 5 regarding compensation, the Committee decided to delete the specific dollar amount. Such responsibility will be decided by the established commission on salary.

On section 9(a), Mr. President, the Committee decided to recommend to maintain the annual budget submission by

the Governor given the amendments submitted in regard to bi-annual budget submission.

On section 9(b), the State of the Commonwealth address, the Committee unanimously agreed that it should be given in person, addressed to the people in joint session of the legislature.

On the last issue, Mr. President, although there is a draft report regarding the progress of the Committee, I must say that we are still continuing to address Article III within the Constitution. We will be publishing a draft report for the Committee to get a consensus in adopting officially through the legal counsel.

That's it, Mr. President.

PRESIDENT GUERRERO: Thank you, Chairman Nogis.

At this time, I call on Chairman Hofschneider to report on the progress on the Committee Judiciary and Other Elected Offices.

DELEGATE HOFSCHEIDER: Thank you, Mr. President.

The Committee on Judiciary and Other Elected Offices has worked diligently this past week.

We will report out soon a recommendation on Article IV, with respect to the Commonwealth judiciary.

The Committee asked me to put it's report in the Daily Journal tomorrow, as soon as it is completed, so that it can be circulated to the Delegates before the next session on

Thursday. I respectfully request that each member of the Con-Con Delegates review the committee report. I would like to request permission from the President to submit said report to be reviewed in the Committee of the Whole on the next session.

Sometime this week, also, we will take up Article V concerning the Washington Rep's office and Article XV on education.

I have just been informed that the Washington Rep dropped by. I have discussed informally with the chairman of the Federal Branch and Local Government Committee, Mr. Nogis, to see if I can squeeze in the Committee on Judiciary for a 9:30 meeting with the delegate from Washington, the Washington Rep, about that tomorrow morning at 9:30. This is just tentative due to the fact that he is departing back to his office the following day; that tomorrow afternoon would be inconvenient for him since he will be attending a funeral for his nephew.

I would also to announce there will be a public hearing for the Committee on Judiciary and Other Elected Offices on June 21st at 10:00 A.M. I would like to request the use of the House Chamber instead of the Senate Chamber. This is more complete in terms of facilities.

The public hearing will concern the education article and the civil service article. I would like to work with the administrative and legal staff so that proper information is issued prior to Wednesday at 10:00.

Thank you, Mr. President.

PRESIDENT GUERRERO: Thank you, Chairman Hofschneider.

We are finished with the progress reports on all the substantive committees. We now move to the introduction of Delegate proposals.

Delegate Villagomez.

DELEGATE VILLAGOMEZ: Mr. President, I have two proposals, No. 445 -- may I read it? It it's short.

PRESIDENT GUERRERO: Yes, please.

DELEGATE VILLAGOMEZ: No. 445 requires that a financial impact analysis be made prior to the enactment of tax legislation. It requires a public hearing with 15 working days advance notice on Saipan, Tinian, and Rota prior to the enactment of tax legislation. It requires a vote of three-fourths of the members present on voting to enact tax legislation.

Proposal No. 446 prohibits the CNMI retirement fund from providing loans to anyone.

Thank you.

Delegate Maratita.

DELEGATE MARATITA: Thank you, Mr. Chairman. I've two proposals to introduce.

Proposal No. 430 declares that Article XII is permanent and will not expire at the end of 25-year period provided in the Covenant.

The other proposal is 431. It limits the number of aliens permitted to enter the Commonwealth. This would probably require a new article in the Constitution.

Thank you.

PRESIDENT GUERRERO: Thank you.

Delegate Taitano.

DELEGATE TAITANO: Thank you, Mr. President.

I have four amendments that I wish to submit at this time. They're quite lengthy.

PRESIDENT GUERRERO: Can you summarize what they are about?

DELEGATE TAITANO: My proposals are not numbered yet.

The first proposal provides that the Northern Marianas retirement fund be a constitutionally created program fully protected from any executive or legislative amendments.

The other provides that testing service credits, such as educational credit, military service, compensatory, and overtime hours be discontinued effective January 1st, 1997.

In addition, the 30 percent bonus on salary for retiring members and the 3 percent for elected officials and judges would be discontinued as of this date.

Further, it provides that those retired members will not be eligible for a five-year bonus per constitutional amendment No. 19 effective January 1st, 1997.

I have a proposal which I will be submitting as

recommended by the administrator of the retirement fund concurred by the board of trustees.

The last proposal, amendment, Mr. President, is to re-establish Carolinian Affairs Office, a constitutionally mandated office, as originally created under Article III, section 18, and fully protected from any executive or legislative amendment.

Thank you.

PRESIDENT GUERRERO: Thank you.

I call on Delegate Tom Aldan.

DELEGATE TOMAS B. ALDAN: Thank you, Mr. President.

I also have three proposals to submit. Delegate Proposal No. 416 provides that the person may be reappointed by a new governor to the same executive position only with the advice and consent of the Senate.

Delegate Proposal No. 432 requires that MPLT makes an oral and written report to a joint session of the legislature reporting on the annual revenues, expenses, investments, schedules, future plans, and other transactions by the trustee.

In addition, it provides that a trust fund be provided by a home loan program limited to persons of Northern Marianas descent.

Finally, still unnumbered, a Delegate Proposal, Mr. President, it would establish a Council of Indigenous Affairs as an independent agency of the government. The Council

of Indigenous Affairs would basically absorb the Resident Executive Assistant for Indigenous Affairs, and would absorb the Office of the Executive Assistant for Carolinian Affairs, and those now performed by the Language Commission, those functions performed by the Arts and Culture, and to register all CNMI descendants and certify homestead applicant's eligibility for homestead as a CNMI descent and others as provided by law.

The Council shall be composed of five members who must meet a minimum qualification that he or she must of Northern Marianas descent, must be a United States citizen, and a registered voter of the Northern Marianas.

Thank you, Mr. President.

PRESIDENT GUERRERO: Delegate Hocog.

DELEGATE HOCOG: Thank you, Mr. President.

I have several proposals to introduce, and because of the length of the proposals, I won't be reading the substance, but go through their numbers.

I would like to introduce Delegate proposals 417, 418, 420, 421, 422, 425, 426, 427, and 428.

Thank you.

Any other proposals to be introduced?

If not, we move to the next order of business, motions and resolutions.

Delegate Marian Aldan-Pierce.

DELEGATE ALDAN-PIERCE: Thank you, Mr. President.

Under Rule 62(a), I am giving notice to suspend the rules so that a motion to amend Rule 52(d) may be considered by the Convention without the five-day notice period provided under Rule 63(a).

I will ask the Convention to consider this motion on the next session day.

Under Rule 63(a), I'm giving notice of a motion to amend Rule 52(d) by changing the July 10th, 1995, cut-off date for Delegate proposals to June 30th, 1995.

Written motions have been delivered to the secretary and will be attached to the Daily Journal for today.

Thank you.

PRESIDENT GUERRERO: Thank you.

You have given notice to the Convention to amend the rules changing the cut off date from the July 10th to June 30th.

Delegate Aldan.

DELEGATE TOMAS B. ALDAN: Thank you, Mr. President.

I would also like to give notice that pursuant to Rule 63(a) that on the fifth day I will propose an amendment or submit a motion to amend Rule 6 to require only a simple majority for passage of proposed amendments to the Constitution.

Thank you.

PRESIDENT GUERRERO: Thank you, Delegate Aldan.

Delegate Aldan is giving notice to amend Rule 6 in

reference to changing the majority necessary for final adoptions for proposed constitutional amendments.

At this time, I have a resolution that I would like to introduce. This is Convention Resolution No. 3. This to urge the Senate of the Ninth Commonwealth Legislature to take expedited action upon and pass House Bill 9-408 which provides for the special election for the ratification by the people of the amendments to the CNMI Constitution proposed by the Third Northern Marianas Constitutional Convention. Every one of you should have a copy of this one that I have introduced, and I would like it to be entertained in today's deliberation.

Mr. Floor Leader.

DELEGATE HOCOG: Yes, Mr. President.

I think it's appropriate to suspend all pertinent rules to consider adopting Resolution No. 3 at this time.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and second to suspend the pertinent rules to entertain Convention Resolution No. 3.

Discussions?

Delegate Manglona.

DELEGATE MANGLONA: Resolution No. 3 pertains to the gambling?

PRESIDENT GUERRERO: No, Delegate Manglona. Resolution No. 3 is requesting the Senate to pass House Bill 9-408

concerning a special election for the ratification of the proposed amendments. It's pending in the Senate. I understand that they might have a session some time this week, so it's urgently needed that we pass it.

Any other discussions?

If not, those in favor of the adoption of Resolution No. 3 please say "Aye."

(All agreed.)

Those opposed, say "Nay."

(None.)

Motion carried.

, (The motion carried.)

We move now to the unfinished business. We don't have any at this time.

We move to the special orders of the day.

Mr. Floor Leader.

DELEGATE HOCO: Mr. President, I would like to move to consider the Committee report provided by the Legislative Branch and Finance Committee to pass the Committee reports on first reading only.

PRESIDENT GUERRERO: It has been moved and seconded as stated by the Floor Leader.

Discussions?

If not, those in favor of the motion say "Aye."

(All agreed.)

Opposed, say "Nay."

(None.)

Motion carried.

(The motion carried.)

We're now under general orders of the day.

Mr. Floor Leader.

DELEGATE HOCO: Mr. President, I would now like to move for the passage of Committee Report No. 1, Article VII, on election on its first reading.

PRESIDENT GUERRERO: Mr. Floor Leader, I think we need to resolve in the Committee of the Whole.

Is that your motion?

DELEGATE HOCO: I would then return my motion. At this time I would like to the Committee to resolve in the Committee of the Whole.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to resolve into the Committee of the Whole to consider Article VII, VIII, and XII in reference to Committee Report No. 1, 2, and 3.

Discussion?

DELEGATE TOMAS B. ALDAN: Just to clarify, VII, VIII, and XXI, not XII.

PRESIDENT GUERRERO: I stand corrected. I apologize.

Discussion?

If there is no further discussion, those in favor

of the motion say "Aye."

(All agreed.)

Those opposed, say "Nay."

(None.)

Motion carried.

(The motion carried.)

At this time, I would like to appoint
Delegate Quitugua to preside for the Committee of the Whole.

Delegate Quitugua, please come up.

DELEGATE QUITUGUA: The Committee of the Whole session is called to order.

DELEGATE MENDIOLA: Mr. Chairman, some of the members do not on have a copy of the report.

Would you give us five minutes to grab one?

DELEGATE QUITUGUA: Five-minute break.

(A recess was taken from 2:09 to 2:30 P.M.)

DELEGATE QUITUGUA: Did everybody get a copy of the reports 1, 2, and 3?

(All agreed.)

Now, the Committee of the Whole will resume its session.

The Committee of the Whole will be discussing Report 1, which is Article VIII, on election; Report 2, Article VII, on eligibility to vote; Report 3, Article XXI, on gambling.

I that Chairman Tom Aldan to proceed in reporting the Committee's recommendation. At the same time, I would also like to ask the Chairman to report to the Convention the findings of the Committee of the Whole once the Committee of Whole rises to the Convention.

Delegate Aldan, please.

DELEGATE TOMAS B. ALDAN: Thank you, Mr. Chairman.

First, Article VIII on election. If you look at the Constitution, there is now a section 3, which reads:

"Election procedures: The legislature may provide for the registration of voters, nominations of candidates, absentee voting, citizen voting, administration of the resolution of election, contests, and other matters with respect to election procedures."

Mr. Chairman, if this report is passed by the Convention, it would delete in its entirety section 3.

The findings of the Committee under that Article, are as follows: The Committee met on Monday, June 12, and Wednesday, June 14th, to consider proposed amendments to Article VIII.

The Committee considered Delegate Proposal 42 that had been referred it by the Committee on Organization and Procedures.

The Committee considered whether to repeal

Article VIII, section 3, entitled "Election Procedures." This section authorized the legislature to provide for the registration of voters, nomination of candidates, and others.

It was included in the first constitution in 1976 to address the need for an appropriate legal framework within which CNMI citizens could exercise the fundamental right to vote.

After the commencement of the constitutional government in the Commonwealth in January, 1978, the legislature acted pursuant to the authority granted under that article.

The Commonwealth now has a comprehensive statutory scheme governing elections. There being no further need for section 3, the Committee recommends that it be deleted from the Constitution.

Again, if the Convention adopts this proposal, it would delete in its entirety section 3 of Article VIII.

Thank you.

DELEGATE QUITUGUA: Any motion to adopt report No. 1 from the Committee?

(The motion was seconded.)

DELEGATE QUITUGUA: It has been moved and seconded that the Committee report No. 1, Article VIII, on election be adopted.

Discussion?

Chairman Aldan.

DELEGATE TOMAS B. ALDAN: I would like to note that the Committee recommends for its adoption, Mr. Chairman, at first reading, and that changes can still be made after it's reported back on second and final reading which may not happen for several days.

Thank you.

(The motion was seconded.)

DELEGATE QUITUGUA: Delegate Mendiola.

DELEGATE MENDIOLA: Just a question, Mr. Chairman, to Committee chairman or the members of the Committee.

So far as the Public Law that the legislature has enacted, it spells out the process of voting and things like that; however, at every election we have, there is question of the definition of "domicile" and "residency."

I would like to ask the Committee whether they looked into the definition because they have come up with all kinds of definitions of domicile and residency. That is most important thing in it.

DELEGATE QUITUGUA: Chairman Aldan, would you respond to that?

DELEGATE TOMAS B. ALDAN: Yes, Mr. Chairman.

That was covered under report No. 2, Article VII. The Committee decided not to require that any person who lives in a Senatorial district for more than year be required to vote there.

Generally, we deem that to be legislative in nature and that should be appropriately handled by the legislature.

DELEGATE QUITUGUA: Mr. President.

PRESIDENT GUERRERO: Yes, Mr. Chairman.

I assume that this is just a housecleaning-type of proposed amendment. Basically, it does not preempt the legislature in terms of enacting the appropriate changes to the election laws?

I assume that Article VIII will still give the legislature that authority to spell out what we're deleting at this time; is that correct?

DELEGATE TOMAS B. ALDAN: That's correct, Mr. Chairman.

PRESIDENT GUERRERO: Thank you, Mr. Chairman.

DELEGATE QUITUGUA: Delegate Hofschneider.

DELEGATE HOFSCHEIDER: Just to comment.

I don't know for the elections on Saipan, but all of us here are aware that every election in Rota and Tinian seems to have a challenge. We feel that if the Committee felt that the legislature has appropriately enacted regulations or laws governing the election laws, I wonder why we have to go through all of those questions, domicile and residency, concerning our people on Rota and Tinian.

I can't recall many cases involving Saipan voters, but I can assure the people in this Chamber that every two years we have elections, we have technical problems, and we have to go

through a lot of litigation, not to mention the expense of candidates trying to defend themselves, et cetera.

I wonder if the Chairman could enlighten us if that has been addressed. I think it's very important, with all due respect to the legislature; however, it has not resolved the issue of the voters' voting being challenged every election in Rota and Tinian.

Thank you, Mr. Chairman.

DELEGATE QUITUGUA: Chairman Aldan.

DELEGATE TOMAS B. ALDAN: The Committee did look into the many problems Rota and Tinian have in terms challenging voters, if not votes.

It addressed that problem in the sense that we felt that the courts have adequately dealt with any specific problem from CNMI citizens --

PRESIDENT GUERRERO: Point of information, Mr. Chairman.

DELEGATE QUITUGUA: Go ahead.

PRESIDENT GUERRERO: Mr. Chairman, the House right now has passed a comprehensive election law. It's still pending in the Senate. This has been ongoing for the last several legislatures.

I would urge the members of the Convention, as well as the Delegates from Tinian, to urge their colleagues in the Senate to pass that election law. That would address a lot of problems that are being raised right now by our group,

Delegate Hofschneider.

For the information of the members, there is a House bill that is pending in the Senate for action on election laws and procedures.

Thank you, Mr. Chairman.

DELEGATE QUITUGUA: For clarification, the discussion is not for adoption at the first reading. That will be brought up when we rise to the convention.

Any further discussion?

DELEGATE QUITUGUA: Delegate Manglona.

DELEGATE MANGLONA: I want to reinforce the statement made by the delegate from Tinian, Delegate Hofschneider.

I saw a letter, I believe, just before the session addressed by Chief Justice Alex Castro pertaining to the incident of the Northern Mariana Island mayor. I think he was referring to a case which centered on the issue addressed by Delegate Hofschneider, residency versus domicile.

I think that is an issue that this Convention must try its best to really define so that no future problem will be arising because of the ambiguity of existing laws.

DELEGATE HOFSCHEIDER: That's the reason why I'm asking for clarification from the Chairman of the Legislative Committee, because of the fact I have reviewed that particular case, and we would need to adequately review this particular article if, what the Committee chair is stating, is that there

is no need to address any more issues on the matter.

Information received from President Guerrero concerning a law, a proposed law, to be enacted by the Senate, I tend to ask that I see that, also, or all of the Delegates should be afforded to review the proposal.

Like he said, it has been in the making for the past many years. And we cannot, and this is probably the third convention that can help to resolve the issue and not continue to wait.

Thank you, Mr. Chairman.

DELEGATE QUITUGUA: Can we take a few minutes to change the tape?

(The tape was changed.)

The issue before the Committee is there is a proposal requesting we delete this provision in the Constitution.

However, there is no proposal submitted that will address domicile and residency. What we are discussing is that particular proposal that was submitted to delete this portion of this Article because it is outdated or it has been taken care of by the legislature.

DELEGATE HOFSCHEIDER: Is that an opinion, Mr. Chairman?

DELEGATE QUITUGUA: It's on advise from the legal counsel.

MR. WILLENS: Can I speak to that?

DELEGATE HOFSCHEIDER: I submitted for that particular requirement to be eligible to vote. I got back unconstitutional questions. Please. That is not correct. Nobody submitted requirements for eligibility to vote. I submitted, and it was returned to me.

MR. WILLENS: Let me just clarify the situation. We're now talking about Article VIII that deals with election. We'll come next to Article VII, the eligibility to vote.

Delegate Hofschneider is correct. There is a section there dealing with domicile and residence. There is a Committee proposal to delete it.

But he is correct, also, in saying that with respect to the a overall problems, there have been proposals to deal with the question, and that issue is before the Convention, if the Delegates want to pursue it, and ask the Committee to consider the overall issue further in light of the what the legislature has done and what it's contemplating doing.

I respect from the Delegate's view that this is important. It may be something that the Committee wants to consider further.

DELEGATE QUITUGUA: Chairman Aldan.

DELEGATE TOMAS B. ALDAN: I would like the Delegates to look at the affected Article.

Section 3 as it is now in the Constitution is election procedure. Most of the argument we're hearing is on

report No. 2, which is Article VII, section 3, which deals with domicile and residence.

All we're doing at this point in time is that we feel that this election procedure, as stated under Article VIII, the legislate -- which the legislature may provide, that one we felt the legislature has provided that. We want to delete that in the Constitution.

On the next report we will address the domicile and those concerns raised previously.

Thank you.

DELEGATE QUITUGUA: Any further discussion on report No. 1?

Those who agree to adopt report No. 1, say "Aye."

(All agreed.)

DELEGATE JAMES M. MENDIOLA: First reading.

DELEGATE HOCOG: We're adopting report No. 1 on first reading, or just the report?

DELEGATE QUITUGUA: No. I mentioned earlier that the first reading will be adopted when we rise to the Convention.

DELEGATE HOCOG: Okay.

DELEGATE QUITUGUA: Those opposed, say "Nay."

(None.)

(The motion carried.)

Motion carried.

Chairman Aldan, can we move on to report No. 2?

DELEGATE TOMAS B. ALDAN: From the previous discussion, Mr. Chairman, it seems that this is sensitive. Again, I ask the Delegates that this is just the first report. It is not final. Amendments can still be accommodated in future meetings, as well as committee meetings.

However, the Committee report on No. 2 relates to Article VII, eligibility to vote, section 3.

The Committee approved to delete that section regarding domicile and residence.

The Committee did look in its meeting of June 12th and June 14th into proposals No. 41 and 227. Both of them relate to its deletion.

We also looked at another proposal which required that any person who lives in a Senatorial district or for more than one year should be required to vote there in that Senatorial district.

Again, we felt that the legislature has done its work, and that the court has provided sufficient decisions, and that we don't need this provision in the Constitution; that any remedy should be developed by the legislature and not addressed in the Constitution.

The Committee decided not to limit the right to vote to United States citizens. Section 1 of Article VII presently permits U.S. nationals, as well as citizens, to vote assuming that all the other specified qualifications are met.

The Committee was persuaded that this change would adversely affect those relatively few CNMI residents who had exercised their option under the Covenant to become U.S. nationals rather than U.S. citizens. Those local people who took advantage of this option were mostly among the elderly. The Committee decided that we would not be fair of this stage of their life to deny them the right to vote.

With respect to the concerns about U.S. nationals coming to the CNMI from U.S. territories and voting here, the Committee concluded that it did not wish to discriminate among categories of U.S. nationals, that the legislature had the authority under section 1 to require that persons eligible to vote be citizens of the United States.

Thank you, Mr. Chairman.

DELEGATE QUITUGUA: Any motion to adopt report No. 2?

(The motion was seconded.)

It has been moved and seconded.

DELEGATE QUITUGUA: It has been moved seconded to adopt report No. 2.

Discussion?

Chairman Aldan.

DELEGATE TOMAS B. ALDAN: I would think it would be worth the Committee's time to look at the proposed legislation mentioned by the President, and we will make that report, Mr. Chairman, once we finalize -- once the Committee is ready to

submit this report at the second and final reading.

DELEGATE QUITUGUA: Further discussion?

Mr. Floor Leader.

DELEGATE HOCOG: I would also urge the Chairman of the Legislative Branch Committee to obtain a copy of the judgment made by Judge Castro relative to the Rubin v Oqumoro for further clarification on this issue.

DELEGATE QUITUGUA: Further discussion?

If there is no further discussion, the Committee will take into consideration the recommendations that were brought up on the floor.

We're now moving to vote on report No. 2.

Those of you in favor say "Aye."

(All agreed.)

Those opposed, say "Nay."

(None.)

Motion carried.

(The motion carried.)

Report No. 3, Chairman Aldan.

DELEGATE TOMAS B. ALDAN: Thank you, Mr. Chairman.

Report No. 3, Article XXI on gambling. The new language for the casino or gambling, under section 1, prohibition, casino gambling is prohibited in the Northern Mariana Islands except in any Senatorial district when approved in a popular initiative by the affirmative vote of two-thirds of

the persons qualified to vote this that district.

This Article does not prohibit any gambling activities in the Commonwealth to the extent authorized by law as of June 5, 1995.

That will be the new language if the Committee report is adopted for Article XXI, gambling, section 1.

The Committee, again, in considering this issue, whether to recommend an amendment that would prohibit gambling in its entirety, the Committee looked at the history of gambling in the Commonwealth. The Committee recognizes that there are some forms of gambling that are now legal in the CNMI, such as bingo, batu, cockfights, as well as poker machines and other things.

For more than 15 years, the Commonwealth has delayed authorizing casino gambling. I think the Committee has considered the fact that -- I think even the legislature has put forth an initiative for the same purpose.

And based on previous history that we gathered, on Saipan, when it was first authorized, the people turned it down, or killed it. It happened on Rota twice already. It was put before the voters of Rota, whether they wanted a casino on their island. Again, the Rotanese voted the casino down.

We strongly felt that this issue is so sensitive that we want the people to decide it rather than to leave it in the legislature.

Thank you.

DELEGATE QUITUGUA: Any motion to adopt?

DELEGATE TOMAS B. ALDAN: I move for the adoption of report No. 3, Mr. Chairman.

(The motion was seconded.)

DELEGATE QUITUGUA: It has been moved and seconded to adopt report No. 3.

Discussion?

DELEGATE JAMES M. MENDIOLA: Mr. Chairman, just to clarify things.

On the last page, does this Article relate to any gambling activities in the Commonwealth to the extent authorized by law. I want to set the record straight and the history of this, that these laws are not even to be amended.

What happened now, is any law that passes before June 5, 1995, the law authorizes this casino or gaming. For the understanding of everybody, this law is prohibited from amending it, too; is that correct?

I would like to the legal opinion of, Mr. Willens.

MR. WILLENS: Are you referring, Delegate Mendiola, to the law presently in effect in Tinian?

DELEGATE JAMES M. MENDIOLA: No. No. The law that has passed, like the poker machine.

MR. WILLENS: I understand your question. Thank you.

No. That was discussed in the Committee. There

was some revision in the language to make it clear that the acts that were enacted before June 5, 1995, could not be amended to increase the number, for example, of machines authorized in these permissible areas of gambling. That's why the language now reads "to extent authorized by law," and the legislative history will say "to the extent and at level that they are permitted in the Commonwealth by law as of June 5, 1995."

The June 5 date was, obviously, an arbitrary one. It marked the beginning of this Convention. The Committee decided that was an appropriate date.

So if the Convention approves this amendment and puts it before the people next year, it would invalidate any laws enacted by the legislature after June 5 of this year that increase the extent of permissible gambling.

DELEGATE JAMES M. MENDIOLA: That includes the amendments, too? They cannot amend a poker machine to include roulette or high and low or whatever?

MR. WILLENS. No. No. It would permit only the kinds of gambling and the extent of those kinds of gambling that are authorized as of June 5. That was the intent of the Committee, I believe. I think it's a fair reading of the legislative language, and the legislative history will make it specifically definite.

DELEGATE MENDIOLA: Thank you.

DELEGATE QUITUGUA: Mr. President.

PRESIDENT GUERRERO: I need to get some clarification and reserve my rights to change my mind later on during the plenary session or at the next deliberation for the second or final reading.

Basically, Mr. Chairman, I would like to find out, first, the existing Constitutional provision only makes reference to gambling. This one we're now calling casino gambling.

I assume there are some differences between just "gambling" and "casino gambling." What concerns me, Mr. Chairman, is whether this definition exempts those games that we play during the gala.

What about social gambling when people get together for blackjack? I don't know what other games they play. We have social gambling that is not in the casino. I'm trying to get clarification whether this only applies to the definition of casino gambling -- just the commercial or does it exempt that kind of other activities on the side?

I understand, also, the Rotary Club has been using sort of a casino night as a means of raising funds for community projects. I'm trying to get all this clarification whether those are being exempted or not or what. It's not too clear.

When we're talking about gambling, we always hear about the evils of gambling. I don't know if it's evil or just the person that thinks it's evil. It concerns me that it's not

too clear. So I would like to get clarification. I reserve my right to change my decision at a later date.

Thank you, Mr. Chairman.

DELEGATE QUITUGUA: Chairman Aldan.

DELEGATE TOMAS B. ALDAN: I think the President brought up a good concern.

We did not distinguish that because, basically, I'm from the school of thought that those kinds of gambling occurring during galas are illegal, and not authorized by any law.

I think it's in the statute that prohibits that kind of gambling. Poker during gala is not legal. Any other cockfighting outside what was authorized by bidding or other ordinances or laws is illegal, as well.

But he did bring up a good idea of whether during casino gambling or gambling in general. Article XXI, as is presently written, provides that gambling is prevented in the Northern Mariana Islands except as provided by Commonwealth law or established through initiative in the Commonwealth or in any Senatorial district.

I think the Committee felt that it is pretty clear, gambling, in general, is prohibited except as passed through initiative by a Senatorial district.

Casino gambling would tend to take away other forms of gambling. So the Committee should look at that further

before its final report.

Thank you.

PRESIDENT GUERRERO: Mr. Chairman, if I might continue.

I'm not make just making reference to what we call the gala. My gosh, Mr. Chairman, I don't know which one of us would take the old age program. They go somewhere and the first thing they do is take out their cards and start playing, even if it's for 5 cents or 25 cents.

It's sort of a form of entertainment for them. It's not that they're going to get rid of their Social Security checks. In a sense, it keeps them occupied. I don't know whether any of us are willing to stand up and tell our elders that they can't do those things anymore. I think I know it's on the books right now, but nobody wants to tell them.

So I caution our Delegates that if we do something, we have to insure that our elderly know the consequences of this amendment.

I would like to point that out, Mr. Chairman.

Thank you.

DELEGATE QUITUGUA: Chairman Aldan.

DELEGATE TOMAS B. ALDAN: One final comment,
Mr. Chairman.

It is hard, I guess, for one of us to tell our senior citizens they can't play a 5 cent poker game. But there is a provision in the Constitution that says all men are created

equal and should be treated equally under the law.

If it's prohibited to play any form of gambling, other than those authorized by law, I think it's the job of everybody enforce that law or for the law enforcement department to enforce it equally.

In other words, if I can afford the \$50 game table, and be imprisoned for playing a \$50 game while the others can play a 5 cent game. It's the same. The principle is the same. Again, the Committee will address that further.

Thank you.

MR. WILLENS: If I could speak to this issue, perhaps in the interest of the senior citizens, the effort here of the Committee was to make the prohibition more specific than it is now in Article XXI.

That is why we recommended, and the Committee agreed, that the prohibition be directed at casino gambling. That connotes a commercial, large-scale operation of the kind that carries with it the social consequences that are of concern to many of the people in the Commonwealth.

We found the definition of "casino gambling" in a previous Commonwealth law that frankly includes a variety of games that I've never heard of and distorts the word "hokey-pokey" because I used it in many different contexts. The effort is to reduce the prohibition to casino gambling.

With respect to the President's point, there is

social gambling here. There always has been and will be, as there are all in other areas of the United States.

The laws are not enforced equally. And if, in fact, the low-level social gambling of the poker game or the blackjack or whatever is a common practice, the law enforcement people don't prosecute. And if they do, there are no convictions because it's a social function and disuse of the law controls.

I wouldn't want you to advise your relatives to become too aggressive in reliance on this legal advice, but the point is that the problem that the President identified was with you before this proposed amendment came before you. We're trying to limit it and make it more specific.

To the extent social gambling or low-level gambling goes on, I would argue it's really permitted, in effect, in the Commonwealth and is, I think, probably beyond the reach of both the Constitutional Convention and a legislature.

DELEGATE QUITUGUA: Floor Leader.

DELEGATE HOCOG: Mr. Chairman, I think this issue is very sensitive in its form.

At this time, amendment 42, made to the present Constitution, prohibited gambling in the Northern Marianas. I don't care how we look at it, from this Delegate's standpoint, to make casino gambling illegal. It's already legal at this point in time.

If we are to open any forum to make casino gambling legal, whether it's to be provided by initiative, popular initiative, from a Senatorial district, why are we saying that we make casino gambling legal?

If we are to construe that we don't like casino gambling, then why don't we take a position to make casino gambling illegal in its entirety rather than to make a prohibition to make it legal one way or the other.

This is decision, Mr. Chairman, that each Delegate must seriously consider how he's going to place his vote on this issue. I don't think that these Delegates will make casino gambling illegal in its entirety if we provide for a provision allowing casino implementation in one way or another. I would like the members to seriously consider this.

Thank you.

DELEGATE QUITUGUA: Delegate Aldan-Pierce.

DELEGATE ALDAN-PIERCE: Would it be possible for legal counsel to include as part of the legislative history what the intent of this Convention was when we looked at this, that our intent is not to prohibit social, small-scale playing, like at wakes or when friends get together and family gets together and have a little friendly game of poker. We don't want to prohibit those things. It's part of social culture here.

Can't you just make it clear in the legislative history? I think that would take care of some of the concerns

of the Delegates here.

MR. WILLENS: That certainly can be done. If that's the sense of the Committee of the Whole, we can work with the Committee to develop appropriate language.

DELEGATE QUITUGUA: Chairman Aldan.

DELEGATE TOMAS B. ALDAN: I suggest that we take Delegate Aldan-Pierce's recommendation to the Committee and look at it at the Committee level and report its finding back at the next session, because I don't think we should state anything in regard to intent as to whether or not social gambling is authorized or not. I think social gambling is practiced even though it's illegal.

If we are to say that social gambling is okay, are we promoting, then, a poker game in San Roque; a blackjack game in Tanapag? Let's not try and undermine the statute prohibiting those.

I think if we say anything to the contrary in a legislative history or the intent of the gambling issue, other than just say "casino," which is a big-size operation, we may be infringing upon certain statutes that are now existing prohibiting those things.

Thank you.

DELEGATE QUITUGUA: Mr. Floor Leader.

DELEGATE HOCOG: In addition, Mr. Chairman, I would agree with the chairman not to do anything indirectly or directly as

to form of gambling, whether it's social or what.

I think, Mr. Chairman, card players, whether it's social card players or a real commercial players, they bet money. I don't know how we determine social gambling as to what range of dollar figure. We've seen guys wage or bet as far as \$200 where the pot comes up to a thousand dollars.

We just have to be very careful how we put a form of social gambling to be permissive in the language, in the Constitutional language. Otherwise, if we do that, we might as well open casino gambling in general.

If we are to kill the casino in its entirety, then let's not even give an inch for a casino to be possible, whether it be social, commercial, or what.

Thank you.

DELEGATE QUITUGUA: Delegate Hofschneider.

DELEGATE HOFSCHNEIDER: I think that to resolve this matter, it's only, this is my personal opinion, I think the question here is casino gambling to be more specified in the Articles of the Constitution.

Concerning social gambling, that can be left to local legislation. To resolve this issue, the Committee could consider not having casino gambling anywhere except Tinian. That would make the subject be resolved.

Thank you.

DELEGATE JAMES M. MENDIOLA: That was my proposal.

DELEGATE QUITUGUA: Delegate Taitano.

DELEGATE TAITANO: Mr. Chairman, thank you.

On the first page of the Committee report No. 3, second paragraph, second sentence, I wish to note that the Committee left out a cockfight and batu.

That is all, Mr. Chairman.

DELEGATE QUITUGUA: Thank you. So noted.

Delegate Mendiola.

DELEGATE MENDIOLA: Thank you, Mr. Chairman.

Let me make a suggestion and refer it back to the legal people. Let's identify the gaming itself and the casino gambling. Differentiate the two. A gaming could be considered a cockfight, batu, and things like that.

But once you talk about casino gambling, that means it embraces under one building, from pachinko, high and low, dice, whatever. It's a multi games within one solid building or whatever.

If they could come up with some kind of a definition and differentiate the two, I could agree with that.

DELEGATE QUITUGUA: Chairman Aldan.

DELEGATE TOMAS B. ALDAN: I would like the Delegates to look at the legislative history that has been provided of this Article. It's basically defined in one form or another.

"'Casino gambling' is defined as an activity whereby a person risks money or a

thing of money on the thing of value on the outcome of something involving chance.

"Casino gambling activities include, but not limited to games of crap, keno, faro, monte, roulette, poker, stud-horse poker, seven-and-a-half, twenty-one, hokey-pokey --" and a lot of other things, "-- including raffles, bingo, batu, cockfighting, poker machines, pachinko."

It's all-inclusive to the extent of what is available at the disposal of the Committee. It's sufficient that it's in there already.

PRESIDENT GUERRERO: Mr. Chairman?

DELEGATE QUITUGUA: Mr. President.

PRESIDENT GUERRERO: Mr. Chairman, perhaps not at this time, but at a later time, would the Committee, perhaps, enlighten us as to their definition of some of these casino games? I have no idea what is hokey-pokey, stud-horse poker, fan-tan, tan, or rondo. I have no idea what these games are. I would certainly like to have sort of a definition of what kind of games they are.

DELEGATE QUITUGUA: Chairman Aldan, would like you like to enlighten our President?

DELEGATE TOMAS B. ALDAN: I was going to motion to end the debate, Mr. Chairman.

Since you asked, I don't think it's necessary. If you look at casino gambling as being a game of chance or risk involving money or things of value, I think that is sufficient.

I think to list all possible and define all kinds of games, for all we know we may take several pages. I don't think it's necessary.

Can I move end the end debate?

(The motion was seconded.)

DELEGATE QUITUGUA: It has been moved and seconded to end debate.

We'll be voting on the motion to adopt report No. 3 with the understanding that the Committee will take into consideration the recommendations and comments.

DELEGATE MARATITA: Mr. Chairman, point of information. Does this mean that the discussion of the Committee of the Whole is that we are going to refer this back to the Committee in on Legislative Branch?

DELEGATE QUITUGUA: The Committee on Legislative Branch will come back again.

DELEGATE MARATITA: It has been reported to the Convention that the Committee is recommending for adoption.

DELEGATE QUITUGUA: With amendments considering the recommendations from --

DELEGATE MANGLONA: Ready?

DELEGATE QUITUGUA: Those in favor to adopt report No. 3

say "Aye."

(All agreed.)

Opposed, say "Nay."

(None.)

Mr. Floor Leader.

DELEGATE HOCOG: Mr. Chairman, I would like to rise back to the plenary session.

DELEGATE QUITUGUA: We will now rise to the Convention, but we will take a five-minute break first.

(A recess was taken from 3:18 P.M. to 3:28 P.M.)

PRESIDENT GUERRERO: The plenary session is called back to order.

I would like to call on the Chair of the Committee of the Whole, Delegate Quitugua.

DELEGATE QUITUGUA: President, the Chairman of the Committee will do the report.

PRESIDENT GUERRERO: Delegate Tom Aldan, do you have any report to the Convention?

DELEGATE HOCOG: Mr. President?

PRESIDENT GUERRERO: Yes, Mr. Floor Leader.

DELEGATE HOCOG: I think the Chairman of the Legislative Branch Committee has substantially briefed the members of the report from his committee, and I would like, Mr. Chairman, to make the motion that we adopt Committee reports No. 1, 2, and 3, or place the Committee reports 1, 2, and 3 on our next session

scheduled for Thursday, June 22nd, 1995.

PRESIDENT GUERRERO: Before I entertain that, I know it was deliberated during the Committee of the Whole. I still need to get report for the Convention proper.

I need for him to briefly state what action was taken by the Committee of the Whole before we entertain your motion, Mr. Floor Leader.

DELEGATE HOCOG: Mr. President, it would be incumbent of upon the chairman of the Committee of the Whole to provide that report back to the members.

PRESIDENT GUERRERO: I believe the Chairman of the Committee of the Whole has designated the Chairman of the Committee on Legislative Branch and Public Finance to report back. I will follow that request of the Chair.

DELEGATE TOMAS B. ALDAN: That was my first statement.

The Committee of the Whole, Mr. President, has adopted, essentially, the three reports; that we would like to look at report No. 3 before it's calendared for the next session and then report back.

There are concerns raised, valid concerns on gambling. I ask the Delegates to allow the Committee to look at the issues and concerns raised under gambling.

Thank you.

PRESIDENT GUERRERO: Thank you.

Mr. Floor Leader.

DELEGATE HOCO: Mr. President, I would like to place the Committee report as adopted from the Committee of the Whole to be placed on our next calendared meeting to be passed on its first reading, and the Committee report adopted, Committee report No. 3, adopted would be referred back to the appropriate committee.

(The motion was seconded.)

PRESIDENT GUERRERO: Thank you.

We can move to the next order of business under announcements.

DELEGATE TAITANO: Mr. President.

PRESIDENT GUERRERO: Delegate Taitano.

DELEGATE TAITANO: Thank you, Mr. President.

Under announcements, at this time, I wish to extend a big congratulation to CNMI Baseball All-Stars, which won the Mobil Games baseball tournament, last Saturday. I've asked our legal counsel, Mr. Zimmerman, to prepare a resolution for introduction in our plenary session on Thursday.

Mr. President, after 70 years of this tournament, the CNMI finally captured the championship, a clean sweep of the tournament, four wins, no losses.

So it is very appropriate that we extend congratulations to these fine baseball athletes, and also to a businessman, Mr. Frank Leon Guerrero-Aldan, for his sponsorship of this team and foresight that the CNMI All-Stars would capture

the championship.

PRESIDENT GUERRERO: Thank you, Delegate Taitano.

I have an announcement. All the Delegate proposals that have been handed in to the legal counsel have been finished and returned to the Delegates as of this morning.

If you still think that any are missing, please talk to Deanne and get it straightened out.

Also, the staff has sent to each Delegate a listing of proposals in order to check that everything that was supposed to have been published with the Daily Journal and referred to in committee has been sent out.

If any of yours are missing, please talk to Pam Carlson. We want to insure that every proposal introduced by a Delegate gets sent to the right committee and gets considered.

At this time, also, we would like to welcome Attorney John Manglona to the legal team.

Incoming correspondence to the Convention is attached to the Daily Journal, so it will not be announced or read separately.

Also, that the Senate Chamber may become available for public hearings, as well as committee meetings. It is available for the Convention and committee use.

The Dan Dan facility is still available for Delegate meetings and public meetings where necessary.

The Committee chairs and Delegates have to remember

that signed originals are to be given to Alicia for the archive's set of Convention documents. Only hand out copies. We are obligated by statute to collect the signed originals for archives, and we need to be sure that we go along with that recommendation.

Change the tape.

(The tape was changed.)

Also, there was a memo that was issued by the former Chief Justice, Jose Dela Cruz, to the legal team. This is in reference to immunity from liability for speeches or statements made by the Convention Delegates. I think copies of this has been given to all the members. Be careful of what you say. It might haunt you, and it might be costly in court.

Any other announcements?

Yes. Let me recognize Delegate Hocog.

DELEGATE HOCO: I would like to announce that both Rota delegates and Tinian delegates will be having their meeting tomorrow at 12:00 over at the Dan Dan office to formulate a position of how to unify Amendment 25.

Thank you.

PRESIDENT GUERRERO: Delegate Manglona.

DELEGATE MANGLONA: Are we still under announcements?

PRESIDENT GUERRERO: Yes.

DELEGATE MANGLONA: I'll wait until we get to miscellaneous.

PRESIDENT GUERRERO: We're under announcements and miscellaneous.

DELEGATE MANGLONA: If that is the case --

PRESIDENT GUERRERO: Are you providing a speech or can I recognize first Delegate Hofschneider?

DELEGATE MANGLONA: Okay. After him, I would like to make a short statement.

PRESIDENT GUERRERO: Delegate Hofschneider.

DELEGATE HOFSCHEIDER: Just to remind the Committee members for the Judiciary and Other Elected Offices, I would like to meet with them after the session adjourns and distribute the copies of the Committee report and response to Judge Castro's inquiry on the proposed judicial article.

Thank you, Mr. President.

PRESIDENT GUERRERO: Delegate Taitano, are you doing a statement or announcement?

DELEGATE TAITANO: I wish to ask a question to the Floor Leader, Mr. President.

Are we allowed to sit in on the Rota and Tinian delegates' meeting?

DELEGATE HOCOG: That is that's a good question, Delegate Taitano.

We would like to confine the meeting to Tinian and Rota members only until such time as we can reach a mutual consent. Then we will report back to that Delegates.

DELEGATE TAITANO: It's closed door?

PRESIDENT GUERRERO: The answer is no.

Delegate Manglona.

DELEGATE MANGLONA: Thank you very much, Mr. President.

Mr. President and fellow Delegates, I wish to rise and speak in support of the Committee's recommendation on gambling.

I congratulate the Chairman and his committee members for their speedy action. The issue of casino gambling is before us at this Convention today for discussion. We discussed whether this issue should be decided by our legislature or by our people.

While I have the greatest respect for our legislature, in which I served for many years, I say, Mr. President, let our people decide.

Now, please permit me to tell you why. Many of us are aware of the possible political manipulation that may have transpired in the legislature when the casino deal was considered earlier this year.

That measure was filed by the House, but for some reason, the casino issue seems to be very much alive today beyond the shores of Tinian where the people, not the legislature, have already decided.

We have heard that our government faces a tremendous deficit. Vital programs, such as medical referral

and scholarship, are now being held hostage.

I really feel the pain and agony of our critically ill people and their families for denying their medical treatment abroad.

We have heard time and time again that casino gambling is the only real solution, the only miracle cure to solve a financial problems.

I, for one, respectfully disagree. We do not live in a win-take-all-world because not all our winners, a man who places the odds, rarely ends up even.

To say we must have Commonwealth casino gambling in order to have a medical referral or scholarship program is wrong. I strongly believe that we can make possible our medical referrals and scholarship programs without forcing our legislature to act on casino gambling legislation.

I strongly believe it is morally wrong to gamble with human life, pain and suffering to prove who is right or wrong.

We must straighten out our priorities and needs. We must eliminate excessive spending to make savings for vital needs and programs instead of cutting life-saving programs, like medical referrals and scholarships.

All the arguments about casino gambling reminds me of a story in the Holy Bible when our Lord was tempted. Jesus was taken to a mountain top and showed all the kingdom of the

world. He was told, "All these things I will give you if you will fall down and worship me."

But Jesus said, "You shall worship your Lord your God, and him only shall you serve."

Jesus went on say, "Man does not live by bread alone."

Jesus concluded: "What does it profit a man if he gains the whole world and loses his own soul?"

The analogy to this is that our legislature has already been pressured and tempted, pressured and tempted repeatedly to endorse casino gambling as if it is our only financial salvation.

Yet, our legislature remains strong and firm. They resisted this strong political pressure and temptation. They believed that many of our people do not favor casino gambling. That is why they took no action on the casino gambling legislation.

To prove this important point, Mr. President, and fellow Delegates, I say to you all, let's put this issue before our voters. Let them make the decision. Let us prove that here, in our Commonwealth, our people rule.

In closing, Mr. President, I strongly urge you and all our Delegates to please expedite passage of this casino issue proposal.

Thank you very much.

PRESIDENT GUERRERO: Thank you, Delegate Manglona.

Any other Delegate?

Delegate Igitol.

DELEGATE IGITOL: Mr. President, it's very nice to come every day, every morning, or afternoon to see we have coffee, soft drinks, and sweets. But I hate to see the staff burdened by buying all that themselves.

If these are not paid for by the Con-Con funds, I would probably request that each Delegate contribute for the initial week, maybe \$10 each per week, and \$5 thereafter. This will include coffee, soft drinks, and sweets morning and afternoon.

Thank you.

PRESIDENT GUERRERO: Thank you, Delegate Igitol.

There are some members that have generously donated some funds last Saturday for those things. I thank those Delegates. It is certainly coming out of the pockets of the staff.

Delegate Taitano.

DELEGATE TAITANO: Perhaps, Mr. President, those who are receiving their retirement benefits, their Constitutional salary here, donate or put up more.

That is all.

(The motion was seconded.)

DELEGATE MANGLONA: Seconded.

PRESIDENT GUERRERO: Thank you, Delegate Taitano, for your suggestions.

Any other comments? Announcements?

Mr. Floor Leader.

DELEGATE HOCOG: Yes, Mr. President.

I would like to move to adjournment subject to the call of the Chair.

(The motion was seconded.)

PRESIDENT GUERRERO: It has been moved and seconded to adjourn subject to the call of the Chair.

Those in favor of the motion say "Aye."

(All agreed.)

All opposed, say "Nay."

(None.)

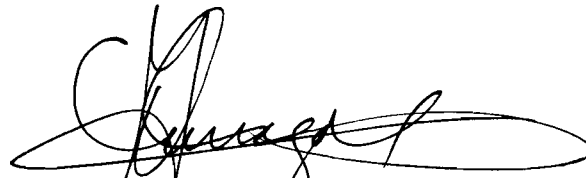
Motion carried.

(The motion carried.)

Meeting adjourned.

(The Convention adjourned at 3:45 P.M.)

Respectfully,



Convention Secretary