

REPORT OF THE COMMITTEE ON ORGANIZATION AND PROCEDURES
PLENARY SESSION, 7/11

1. Schedule: We have plenary sessions scheduled for Thursday morning, and for Saturday morning. We are on target to complete our work by August 4, but we need to be sure that the Committees meet as scheduled this week. The schedule is in your daily journal, and we have also posted copies on the doors and on the bulletin board.

2. Delegate amendments: You will notice on your order of business that item #6 has changed from “delegate proposals” to “delegate amendments”. That is because the July 10 cutoff date for the introduction of delegate proposals has passed. Under Rule 52(d), no further delegate proposals can be introduced except with unanimous consent of the Convention.

. This does not mean that the substantive committees are cut off from considering new ideas that come up in the committee meetings. The committees have good outlines that cover all the main issues before the Convention, and the committees may consider any suggested change brought up by a member of the committee.

When we pass something on first reading, that doesn't mean that it won't change on second reading. There are two ways that things may change on second reading.

. First, the committee that sent the article to the floor may decide to offer amendments in light of other articles that are reported out or the debate on the floor. We need to make all the amendments consistent, so the committees will be working on that.

. Second, delegates may introduce amendments.

I want to just outline the procedures we will be using under our rules with respect to delegate amendments on second reading.

. First, delegate amendments are used for articles that have passed on first reading. Once they pass first reading, they will be considered by the committees again before second reading.

. Second, under Rule 45, amendments have to be germane. This means you can't propose an amendment that is on an entirely different subject than the section you are proposing to amend.

. Third, under Rule 46, amendments have to be in writing. We have a form for delegate amendments and each one will be numbered so we can keep track of things.

. Fourth, amendments are different than delegate proposals. Amendments have to be

stated in exact constitutional language, so we want them to go through the lawyers for help with this. This won't limit what you want to do, but we need to be sure that we get something that can be enacted -- not something that won't work with other articles we have already passed.

. Fifth, any amendment raised for the first time during a floor discussion on second reading will be sent to the responsible committee for review and recommendation.

It is very important that we restrict amendments to matters of importance where delegates sincerely believe that they and others will support a specific change to an article that passed on first reading.

The first effort should be to get the committee that reported the article to the floor to reconsider their language. Unless you get real support from 4 or 5 members of the committee, it is unlikely you will get your amendment passed on the floor.

After a delegate amendment is prepared on the form and signed by those supporting it, it will be published in the Daily Journal so that all the delegates have a copy. COP will officially assign the delegate amendment to the committee that reported out the article. They will consider the amendment. When the article comes to the floor for second reading, the committee will report its recommendations.

When the committee brings its report to the floor on second reading, any delegate who has gone through the necessary procedures can bring up his or her amendment on the floor.

It is very important that you offer only amendments that are substantive. If the language that passed on first reading doesn't quite suit you, but it is generally okay, then perhaps you should reconsider whether to propose an amendment. We have a lot of work to get through, and considering a lot of small amendments will slow us down.

Also, consider whether what you want to accomplish can be done through the legislative history. We will adopt the legislative history at the end of our work, and it is the authoritative source on what the constitutional provisions mean. Many times you don't have to spell things out in exact constitutional language. They can be explained in the legislative history and you can get the same result.

Thank you.



Third Northern Mariana Islands Constitutional Convention

Delegate Amendment No.

Date:

ARTICLE AND SECTION TO BE AMENDED:

COMMITTEE ASSIGNED:

It is proposed that the article passed on first reading be amended as follows:

Submitted by: _____
Delegate

Notes: