

July 22, 1995

REPORT OF THE COMMITTEE ON LAND AND PERSONAL RIGHTS

ARTICLE XIII: EMINENT DOMAIN, SECOND READING

The Committee presents the following report to the delegates with respect to the Article XIII: Eminent Domain, on second reading.

Delegate Proposals: The Committee's Report No. 4 was prepared on July 5, 1995. There were no Delegate Proposals affecting Article XIII submitted after that time.

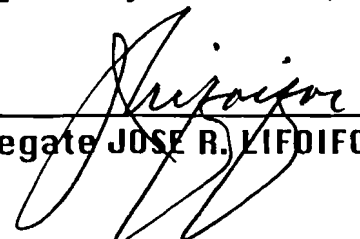
Floor Discussion: The Committee of the Whole discussed Report No. 4 on July 6, 1995. On the same day, the Committee of the Whole approved and the Convention adopted Report No. 4 without amendments.

Delegate Amendments: The Committee has received Delegate Amendment No. 8 which proposed an amendment to Section 2 which would add language to provide that violation of the section is a ground for recall.

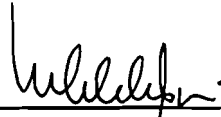
The amendment does not add anything useful. Recall of an elected public official under Article IX, section 3 is an option that the voters may exercise at their discretion provided that the recall petition garners the requisite support and approval. A recall petition must state the grounds for recall but the Constitution places no limits on what those grounds may be. That is a political decision belonging to the voters. The Committee therefore does not recommend the change proposed by Delegate Amendment No. 9.

Committee Changes: The Committee recommends no changes to Article XIII.

Respectfully submitted,



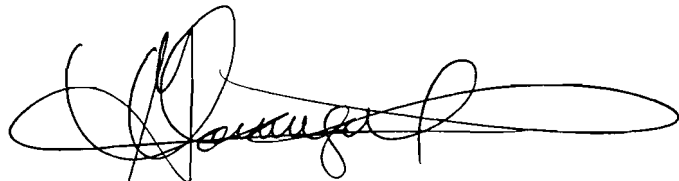
Delegate JOSE R. LIFOIFOI, Chair



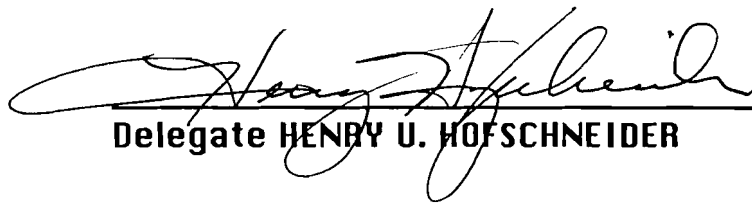
Delegate MARIAN ALDAN-PIERCE, Vice Chair

Delegate CARLOS S. CAMACHO

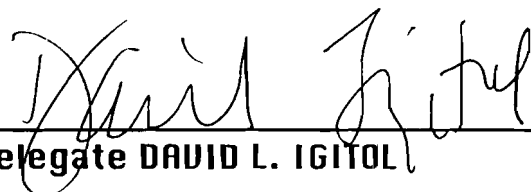
Delegate DONALD B. MENDIOLA



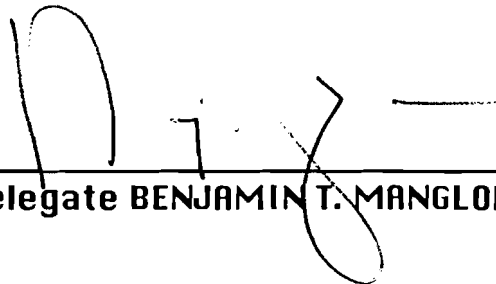
Delegate JOHN O. OLR. GONZALES



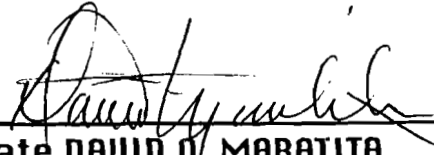
Delegate HENRY U. HOFSCHEIDER



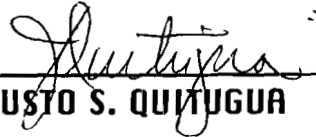
Delegate DAVID L. IGITOL



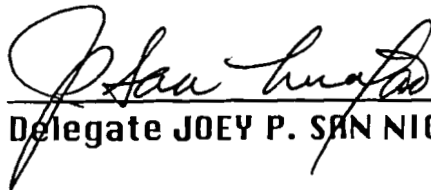
Delegate BENJAMIN T. MANGLONA



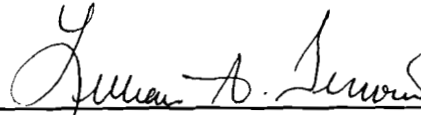
Delegate DAVID Q. MARATITA



Delegate JUSTO S. QUITUGUA



Delegate JOEY P. SAN NICOLAS



Delegate LILLIAN A. TENORIO



Third Northern Mariana Islands Constitutional Convention

Delegate Amendment No. 008

Date: July 20, 1995

ARTICLE AND SECTION TO BE AMENDED: Art. XIII, Section 2

COMMITTEE ASSIGNED: Committee on Land and Personal Rights

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

Article XIII

Section 2: Limitations

Private property may not be taken without just compensation. Private land may be taken only if no suitable public land is available for the accomplishment of the public purpose. Violation of this section is a ground for recall.

Submitted by: _____
Delegatè JOAQUIN P. VILLAGOMEZ

Notes: This adds a provision specifying that violation of this section is a ground for recall. This addition does not state anything new. Violation of any section of the constitution or any Commonwealth statute is a ground for recall.