

July 26, 1995

**REPORT OF THE COMMITTEE ON JUDICIARY AND OTHER  
ELECTED OFFICES**

**ARTICLE XVIII: CONSTITUTIONAL AMENDMENT**

The Committee presents the following report to the delegates with respect to the Article XVIII: Constitutional Amendment, on second reading.

**Delegate Proposals:** The Committee's Report No. 6 (Draft) was prepared on July 18, 1995 and the Committee's Report No. 6 (Revised) was prepared on July 19, 1995. There were no Delegate Proposals affecting Article XVIII submitted after that time.

**Floor Discussion:** The Committee of the Whole considered Report No. 6 (Draft) on July 18, 1995 and proposed certain modifications. The Committee incorporated those modifications into Report No. 6 (Revised). On July 20, 1995 the Convention adopted Report No. 6 and approved the constitutional amendments proposed therein on First Reading.

**Delegate Amendments:** The Committee has received a number of delegate amendments which propose to amend Article XVIII as approved on First Reading:

**Delegate Amendment 24** proposes to amend section 1 to require that an initiative petition to amend that Constitution be signed by at least 40% of qualified voters in the Commonwealth. This would change the requirement, approved on First Reading, of 30% of qualified voters Commonwealth wide plus 25% of qualified voters in each senatorial district

**Delegate Amendment 25** proposes to amend section 2 to require that an initiative petition to convene a constitutional convention be signed by at least 40% of qualified voters in the Commonwealth. This would change the requirement, approved on First Reading, of 30% of qualified voters Commonwealth wide plus 25% of qualified voters in each senatorial district.

**Delegate Amendment 26** proposes to amend section 3 to impose a time limit of sixty calendar days for the legislature to act after a request for amendment of a mutual consent provision of the Covenant has been transmitted to the legislature by the governor. If the legislature fails to act, the amendment is deemed approved.

**Delegate Amendment 27** proposes to amend section 4 (b) to require 2/3 of the votes cast to approve a proposed constitutional amendment by initiative petition or a proposed consent to an amendment to the Covenant. This would change the requirement, approved on First Reading, of 2/3 of the votes cast plus a majority of the votes cast in at least two senatorial district.

**Committee Changes:** The Committee recommends that Article XVIII as passed on first reading be adopted by the Convention and be passed by the Convention on second and final reading.

Respectfully submitted,

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**Delegate HENRY U. HOFSCHEIDER, Chair**

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**Delegate DONALD B. MENDIOLA, Vice Chair**

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**Delegate ESTHER S. FLEMING,**

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**Delegate JAMES M. MENDIOLA**



# Third Northern Mariana Islands Constitutional Convention

**Delegate Amendment No. 024**

Date: July 21, 1995

ARTICLE AND SECTION TO BE AMENDED: Article XVIII, Section 1

COMMITTEE ASSIGNED: Committee on Judiciary and Other Elected

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

## Article XVIII

### Section 1: Amendment by Popular Initiative

The people may propose constitutional amendments by initiative. An initiative petition shall contain the full text of the proposed amendment. The petition shall be signed by at least forty percent of the persons qualified to vote in the Commonwealth.

Submitted by: \_\_\_\_\_  
Delegate TOMAS B. ALDAN

Notes: This amendment changes the number of signatures from 30% to 40% and deletes the requirement for signatures from each of the senatorial districts.

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**Delegate FELIX R. NOGIS**

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**Delegate JUSTO S. QUITUGUA**

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**Delegate TERESITA A. SANTOS**

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**Delegate BERNADITA T. SEMAN**

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**Delegate MARIANO TAITANO**

**Delegate Amendment No. 025**

Date: July 21, 1995

ARTICLE AND SECTION TO BE AMENDED: Article XVIII, Section 2

COMMITTEE ASSIGNED: Committee on Judiciary and Other Elected

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

Article XVIII

Section 2: Amendment by Constitutional Convention

An initiative petition may submit to the voters the question, "Shall there be a constitutional convention to propose amendments to the Constitution?" The petition shall be signed by at least forty percent of the persons qualified to vote in the Commonwealth. An initiative petition for this purpose may not be used until the year 2021.

Submitted by: \_\_\_\_\_  
Delegate TOMAS B. ALDAN

Notes: This amendment changes the number of signatures from 30% to 40% and deletes the requirement for signatures from each of the senatorial districts.



# Third Northern Mariana Islands Constitutional Convention

**Delegate Amendment No. 026**

Date: July 21, 1995

ARTICLE AND SECTION TO BE AMENDED: Article XVIII, Section 3

COMMITTEE ASSIGNED: Committee on Judiciary and Other Elected

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

Article XVIII

Section 3: Mutual Consent

Consent by the government of the Commonwealth to amendment of any fundamental provision of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America protected by the mutual consent requirement of Section 105 of the Covenant shall be communicated to the United States and bind the Commonwealth only after the proposed amendment to the Covenant has been approved within sixty days by a vote of three-fourths of the members of each house of the legislature after public hearings and adequate information about the position of the United States as to its consent, approved by the governor, and ratified by the people in accordance with section 4 of this article. If the legislature has not acted within sixty days, the proposed amendment shall be deemed approved by the legislature.

Submitted by: \_\_\_\_\_  
Delegate TOMAS B. ALDAN

Notes: This imposes a time limit of sixty calendar days for the legislature to act after a request for mutual consent has been transmitted to the legislature by the governor.



## Third Northern Mariana Islands Constitutional Convention

**Delegate Amendment No. 027**

Date: July 21, 1995

ARTICLE AND SECTION TO BE AMENDED: Article XVIII, Section 4

COMMITTEE ASSIGNED: Committee on Judiciary and Other Elected

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

### Article XVIII

#### Section 4: Ratification

b) A proposed constitutional amendment by initiative petition or a proposed consent to a change in the Covenant certified by the attorney general shall be submitted to the voters for ratification at the next regular general election that is held at least 90 days from the date the petition has been certified or at a special election provided by by law and shall become effective if approved by at least two-thirds of the votes cast.

Submitted by: \_\_\_\_\_  
Delegate TOMAS B. ALDAN

Notes: This amendment deletes the requirement for at least a majority in each of two senatorial districts.

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