

Gov't structure amendments passed

(CONCON)—The Third Northern Mariana Islands Constitutional Convention Delegates voted Tuesday to approve four articles, all dealing with amendments to the formation of the Commonwealth government on second and final reading.

They include: Article Two, Legislative Branch; Article Three, Executive Branch; Article Four, Judicial Branch; and Article Five, the Washington Representative's Office. All of the articles were approved by a vote of 25-0 with two members absent, with the exception of Article Five which passed by a vote of 24-1. Delegate Juan S. Tenorio cast the lone dissenting vote.

Under Article Two, on Legislative Branch, the delegates made substantial changes in the composition of both houses of the Legislature. The number of the House members would be reduced from 18 to 13 members, with eleven members elected from Saipan, and one each from Tinian and Rota. The Convention voted 14-9 to return to two-years

the term for House members, as opposed to four years recommended by the committee on legislative branch and public finance chaired by Del. Tomas B. Aldan.

Del. Frances Lg. Borja objected to the four-year term saying the general public is satisfied with the current status. Del. Victor B. Hocog agreed, noting that to agree to four-year terms for House members would invite complacency. The Senate will also see a decrease in the size of its members from nine to six. The lieutenant governor shall preside over the Senate until it elects a presiding officer and shall vote only in the event of a tie. The amendment also requires a budget ceiling of the Legislature to four and a half million dollars in any fiscal year.

Regarding amendments to the executive branch under Article Three, there are several changes made with respect to the Civil Service Commission, Education, and the Carolinian Affairs Office. The Legislature, under the proposed amendment which passed,

could no longer increase salaries for government employees. That is the function of the Civil Service Commission.

"The committee believes this concept is a worthy addition because it will further insulate the civil service from political promises about salary increases during political campaigns," the report from the committee on judiciary and other elected offices stated.

Regarding education, the department will be headed by the secretary of education appointed by the governor with the advice and consent of the Senate. It will be governed by three locally elected boards of education of five members each, who shall run in a non-partisan election. Since the delegates took out the 15 percent guaranteed budget of the total CNMI revenues, the Department of Education will have now to justify its own budget before the Legislature. The same is true of the Northern Marianas College, which also lost its guaranteed one percent annual bud-

get.

Article Four, Judicial Branch, also was approved unanimously by the Delegates by a vote of 25-0. Now it gives constitutional status to the Supreme Court which was originally established by law. It provides that the initial term of the Supreme Court justices shall be for 12 years, while the Superior judges remain at six years. After the initial term of 12 years, the justice or judge shall be elected on a non-partisan basis for a 12-year term. The article provides a procedure for succession in office in case of a vacancy.

Article Five deals with Representation in the United States. Section One of this article states the importance to the people of the Commonwealth of permanent representation in Congress. If a member or delegate status were provided by Congress, then a new election would be held. This section also provides that the term of office of the member or delegate will be two years, the same as the terms of U.S. House members.

ConCon OK's 'right to life' article

(CONCON)—Delegates to the Third Northern Mariana Islands Constitutional Convention passed on second and final reading Article 1, Personal Rights, by a unanimous vote of 23-0, with four absences.

After ConCon President Herman T. Guerrero (Jun Pan) announced the results, delegates broke out in a round of applause. Action by the delegates came shortly after 5 p.m. which follows a long discussion on the controversial issue of Article 6, relating to local government. The session started around 1:30 p.m., the 50th day of the 60-day convention.

The committee on land and personal rights, chaired by Del. Jose R. Lifofoi of Saipan, recommended that a new section be added, Section 11, with respect to the right to life.

The language reads: "The right to life for every individual during the entire span from the conception through old age is respected, honored, and protected in the Commonwealth. The right is subject to definition and regulation by the Legislature."

The committee also made amendments to Section 7, "Quarantining Armed Forces" instead of the word "soldiers." This section provides: "No member of the armed force in time of peace may be quartered in any house without the consent of the owner, nor time of war except as provided by law."

Section 9, regarding "Clean and Healthful Environment" provides that each person has that right and that the Legislature shall pass no law infringing this right or permit the storage or dumping of any nuclear waste or radioactive material in the lands or waters of the Commonwealth.

The delegates rejected by a vote of 12-10 an attempt to change the Preamble of the Constitution. The original preamble adopted during the 1976 Constitutional Convention remains.

Editorials...

From page 4

that in a democratic forum, the majority rules, and that though staging walkouts are very effective in getting the media's attention, such, well, histrionics neither address nor solve the problem.

The problem being Amendment 25 and its relevance, or lack of, to the present realities of our Commonwealth.

Together with the more discerning CNMI political commentators, we say that Amendment 25 has only led to the creation of virtual fiefdoms for some local politicians, which has worsened the paternalism and parochialism inherent in CNMI politics. Which, in turn, made inevitable the initial cover-up and hush-hush reaction of Rota's local leaders when the labor abuse cases were finally publicized last year.

Our Constitution says there is only one governor, whom we may not agree with, and even despise, from time to time. But that is no reason to have three of them, is it?

And can we please stop kidding ourselves that such a small community like ours needs more autonomy at the local level?

What we need is a more efficient government, and not a replication of ineptness three times over.

A central government that is both strong and fully accountable can better serve the interests of the CNMI, which also encompasses, by the way, Rota and Tinian.

We are already bound and united in a commonwealth. Let's start thinking and acting like one.

Rule and divide?

ROTA Del. Benjamin T. Manglona repeated his story by walking out of the ConCon's executive branch and local government committee "in disgust," says a *Variety* report, over a "move to deprive the people of Rota the right to govern themselves."

During the 1976 ConCon, Mr. Manglona was among the Rota and Tinian delegates who left the convention over the, of course, issue of Rota and Tinian legislative representation. They walked out after repeated attempts to arrive at a compromise failed.

Mr. Manglona said he walked out last Wednesday because his colleagues from Saipan "lacked understanding and appreciation" regarding local autonomy for Rota. Meaning, they did not agree with Mr. Manglona's views...

But despite the "great turmoil" in the first ConCon, a "great compromise" was reached and the CNMI was thus born.

We have, therefore, more than enough good reasons to believe that the ladies and gentlemen of the present ConCon could bring down to earth their soaring blood pressures, and settle for a compromise.

Still, we also expect the honorable delegates to know

Continued on page 7

July 28, 1995

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3 gov'ts for CNMI?

SHOULD the Northern Marianas have a strong central government, or should it be divided up to three separate executive branches with more powers given to the mayors of Tinian and Rota?

That was the gist of the three hour discussion by the delegates to the Third Northern Mariana Islands Constitutional Convention during Monday afternoon's plenary session.

Following the sometimes emotional debate, the delegates voted to send Article six (Local Government) back to the committee on executive branch and local government (EBLG) chaired by Del. Felix R. Nogis with guidelines as to what the committee ought to do to work out a compromise to satisfy the concerns of the delegates from Tinian and Rota.

The delegates, however, voted to approve Option Number Four, by a 13-7 votes. All seven delegates from the islands of Tinian and Rota were absent due to medical appointment in Honolulu.

Option Number Four reads: "Amend the language to make clear that the mayors do not have full responsibility for the enforcement of Commonwealth laws but do have the re-

sponsibility for the delivery of some, if not all, of public services in their jurisdiction."

This is the option favored by the Saipan Delegates.

Option Number Three, strongly supported by Tinian and Rota, stated: "Amend the language to make clear that the mayors have full responsibility for the enforcement of Commonwealth laws as well as the delivery of public services in the island or islands that they serve."

There was also discussion regarding funding for the local government. It stated that the mayor, municipal council members, employees of their offices and any locally established departments, agencies, boards and commissions, shall be compensated by the central government which shall cease after five years.

The provision to abolish the office of the mayor of the Northern Islands passed by one vote, 10-9. Nogis said he strongly disagreed with abolishing that office.

The committee is expected to continue working on the Local Government Article (Article 6) and bring it back to the whole convention for further disposition.

Concon goes for elected Washington Representative

Tenorio plea ignored

The Constitutional Convention has voted to continue with the present elective status of the Washington Representative, ignoring the Governor's wishes.

Time and again, Gov. Froilan C. Tenorio has been vocal about his preference for an appointed Washington Representative, citing recent incidents where he and the incumbent Washington Representative, Juan Babauta, can't see eye to eye on certain issues.

In various forums, the Governor underscored the need for the Washington Representative and the Governor to speak one voice. This could only be done if the Washington Representative is an appointee of the Governor.

Differences between the two, he said, could send confusing signals to the federal government.

Recently, Tenorio and Babauta tangled on the issue of continued Federal funding. The Governor has been telling Washington the Commonwealth would like Covenant funding to stop, as long as it is allowed to keep its control over local immigration. Babauta, on the other hand, has opposed the Governor's idea to forego federal grants. In fact, he has been lobbying for its continued grant.

The vote for continued elected Washington Rep was 24-1, with two members absent. Delegate Juan S. Tenorio cast the lone dissenting vote.

The Committee on Judiciary

by Tinian Delegate Henry U. Hofschneider said in its report that the Washington Rep, who is elected, "speaks for the people."

"The Washington Representative does not speak for the Governor and the Executive Branch of the Commonwealth government unless the Governor authorizes the Washington Representative to do so."

The Governor, according to the Committee, can open a liaison office in Washington.

The Concon also voted three other articles, all dealing with amendments to the formation of the Commonwealth government.

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6

CONCON...

from page 1

saying the general public is satisfied with the current status.

Delegate Victor B. Hocog agreed, noting that to agree to the four-year term for House members would invite complacency. Hocog cited himself as an example of being a victim of legislative complacency when it took the Legislature four years to approve a certain lease of public land on Rota.

If the four-year House term is approved, "we will only give them time to play around."

Del. Tomas Aldan pointed out that the four-year term is a "noble approach" to ensure political stability. It would also attract better pool of qualified candidates, he said, adding that it is expensive to run for political office.

The Senate will also see a decrease in the size of its numbers from 9 to 6.

The Lieutenant Governor shall preside over the Senate until it elects a presiding officer and shall vote only in the event of a tie.

The amendment also requires a budget ceiling of the Legislature to \$4.5 million in any fiscal year.

Currently, the Legislature is receiving a \$2.8 million budget ceiling under Amendment No. 9 during the 1985 Constitutional Convention, further amended under Legislative Initiative 6-2. Each member is guaranteed a \$70,000 budget for office expenses including travel outside the Commonwealth.

The majority leader in each house shall receive an additional \$50,000 a year while the minority leader in each house will receive an additional \$35,000 per year. The balance of the Legislature's budget will go to the Legislative Bureau.

Regarding amendments to the Executive Branch under Article 3, there are several changes made with respect to the Civil Service Commission, and the Carolinian Affairs Office.

The Legislature, under the proposed amendment which passed, could no longer increase the salaries for government employees. That is the function of the Civil Service Commission.

"The Committee believes this concept is a worthy addition because it will further insulate the civil service from political promises about salary increases made during political campaigns," the report from the Committee on Judiciary and Other Elected Offices stated.

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