

ConCon session called off anew

A PLENARY session of the Third Northern Marian Islands Constitutional Convention has been canceled due to the absence of the Rota delegation.

Concon President Herman T. Guerrero told the delegates they will try again Friday (July 28) at 9 o'clock in the morning.

The President told the Delegates they will go ahead and act on other articles of the Constitution and leave the most controversial one—local government—to some other time.

This is the second day in a row that the plenary session was canceled. Wednesday's session (July 26) was canceled to allow the Committee on Executive Branch and Local Government chaired by Delegate Felix R. Nogis to work out a compromise on the local government issue.

Public Law-9-18, which set up the Constitutional Convention, provides that the Convention cannot meet in a session without the presence of at least one delegate from each of the three islands. There are four delegates each from Tinian and Rota.

Delegates Victor B. Hocog, who is the Convention's Floor Leader, and Justo S. Quitugua had to leave the Convention Chamber before the scheduled 1:30 p.m. plenary session

to go to the Commonwealth Health Center due to a death in the family.

No one knows the whereabouts of Delegates Benjamin T. Manglona and Teresita A. Santos. Manglona left the Convention Chamber during the heated discussion on the local government issue Wednesday morning (July 26).

Borja...

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the time to read the terms and conditions of what is to be performed, and asked to examine the finished product," he added.

Contracts for independent contractor services cannot be entered into by Office of the Governor or by any department or agency without first going through the entire contract process.

A fundamental part of that process includes a built in system of checks-and-balances to prevent the fraudulent obligation of public funds

Under the law, the Director for Procurement and Supply (Department of Finance) carries the responsibility of approving all sole source procurements, attesting that all contracts comply with CNMI procurement regulations that the contract is for a public purpose and does not

The controversial issue of whether or not grant more power to the Mayors of Tinian and Rota is the main factor dividing up the 27-member Convention.

The delegates from Saipan are in support of a strong central government. The Tinian and Rota favors giving more power to their local gov-

waste or abuse public funds.

Finally, the Director completes the contract process by assuring that all required signatures are fixed to the document.

Signatures required include the Governor, Secretary of Finance, Attorney General, Special Assistant for Management and Budget, and the contractor.

Even sole source contracts must be vetted through the normal contractual process, said the news release.

Every procurement system in the world recognizes that there will be unique circumstances that warrant sole source procurement, it said.

Sometimes there are unique capabilities or services that the government wishes to contract and can contract through sole source procurement.

Even these contracts must be justified and routed through the system.

ernment. The Committee thought they had reached a compromise during their Wednesday meeting.

The EBLG Committee agreed to have the Governor delegate service oriented offices rather than enforcement-oriented ones.

The service-oriented offices include Community and Cultural Af-

fairs, Commerce, Public Works, and Lands and Natural Resources.

The rest will remain with the Governor, according to the Committee's recommendation, which must still be discussed and approved by the Committee of the Whole before being calendared for passage on First Reading.

In any case, the government must be able to demonstrate that the sole source is justified and the contractor must provide the service, said the Administration.

Although the terms and conditions are standardized within a contract, the independent contractor will detail the scope of work to be performed, contract deliverables, fees to be paid by the government and a payment schedule for those fees, schedule to be maintained, and a renewal clause, if applicable.

Finally, the government reserves the right to audit all contracts and contractor records.

Section 3-502 of the Procurement Regulations provides the Public Auditor of access to examine all records relevant to a government contract.

This section is one of the most important safeguards in the procurement process. No contractor who engages in contractual arrangement with the government is exempt from this final review and

evaluation.

"It's interesting to note," said the Acting Governor, "that Speaker Benavente requested the Public Auditor to conduct this audit of the Executive Branch. We are confident that when this review is completed, it will show that our Administration understood the process and entered into contract for professional services that require unique capabilities or qualifications."

Borja said he also finds it interesting that, "the same legislature that sought and received exemption under the Open Government Act has asked the Public Auditor to further scrutinize the Executive Branch." As if to suggest that another request of the Public Auditor may be in the offing, Acting Governor Borja said, "I wonder if our legislature can pass the test [referring to the audit]. After all, it is an election year, and the public may want to know how the legislature has managed its own money matters."

NEW FRESH MARKET

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On Amendment 25

Inos to ConCon: Take caution

By Rafael H. Arroyo
Variety News Staff

ROTA Mayor Joseph S. Inos yesterday asked the Committee on Executive Branch and Local Government of the Third Constitutional Convention to reexamine its proposals pertaining to executive powers for local government.

In a letter to Committee Chairman Felix R. Nogis yesterday, Inos cautioned convention delegates against proposals that would tend to undermine the authority of local governments.

Inos' warning came after hearing of plans by the committee to adopt a proposal that would call for a stronger central government and essentially a less-empowered island government for Rota and Tinian.

Option No. 4, currently being debated in the Committee, would provide mayors of Rota and Tinian powers pertaining to the delivery of public services only when the governor delegates such authority to them.

The same proposal almost exclusively centralizes the authority to execute and enforce Commonwealth laws to the governor.

The proposal has been opposed by Rota Delegate Benjamin T. Manglona who believes that Amendment 25 of the CNMI Constitution should be maintained and strengthened so as to give the people of the smaller islands the autonomy and the leverage to basically govern themselves through their island mayors.



Joseph S. Inos

Although the proposals on local government have yet to be decided on by the delegates, they have already create quite a rift between Saipan delegates and the Rota delegation, who generally supported the status quo.

There were reports that Saipan delegates are hesitant to give more power to the mayors for fear that political interference in the smaller islands could prevent better government.

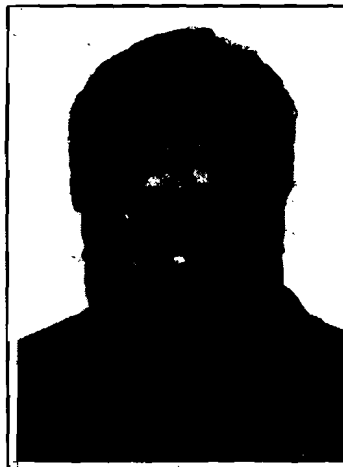
Manglona on the other hand, argued that there is a need to give the mayors a share of executive powers as this was intended under the Covenant.

Mayor Inos, during a previous committee hearing, himself came out in support of local government autonomy and has turned in his own proposals on the issue.

He, however, lamented that his proposals seem to have not elicited favorable consideration by the committee.

"I believe the committee was given a most comprehensive picture of what local government is and means to the people of Rota and Tinian, both now and historically," said Inos, "and what needed constitutionally to be done to resolve the current Amendment 25 conflict and further strengthen the constitutional fabric of local government to preclude future conflict and to assure peace, tranquility and prosperity on the islands."

As to the current proposals being supported by the Committee, Inos



Felix R. Nogis

said they are totally unacceptable to the people of Rota and Tinian.

"They will destroy local government as we have known it, exercised and cherished it," the mayor said.

He added that elements of Article 6, relative to the municipal council, are additionally of a nature that will bring economic disaster to the islands, including Saipan.

"I urge the Committee to most carefully reexamine its proposals and make the necessary adjustments, and not with open eyes blueprint the destruction of our heritage," the mayor pleaded.

Parent rep to BOE sought

BOARD of Education Vice Chairman Dino Jones said parents should have active involvement in the BOE's education planning and decision making.

To ensure this, Jones said there should be a parent representative in the Board to induce more public support for education.

The vice chairman underscored the importance of parents input and support in attaining a quality education system in the Commonwealth.

Jones sent a letter recently to Congressman Alvaro Santos requesting an amendment to Article 2, Section 1520 (b) of Public Law 6-10 known as the Education Act of 1988.

The amendment is to empower the Governor to appoint one representative from the community representing parents in the Public School System BOE.

"As is, the law authorizes one representative from non-public schools, one from PSS teachers, and one from students attending public second-

ary schools," he said.

"I am optimistic of legislators' positive consideration for such an amendment soon. After all, education is everybody's business," Jones said.

The present BOE Board is composed of Jones, Daniel Quitugua as chairman, and members Fermin M. Atalig, Don A. Farrell and Felicidad Ogumoro.

Other members include representatives from PSS Jovita K. Wasiwemai, non-public school John A. Kinsella, and student Amy Sue Bartlett. (FDT)