

1/28/95
Lee
I have abandoned temporarily the pleasures of dealing with Article 12 and the problems of life estates granted to spouses that have no commercial value, and have returned to Article 11. Thanks for your letter on Article 11. Here's what I have done. The page references in parens are to your letter.

1. Trust function (p. 2): I have incorporated this suggestion. See if you think the language is adequate.
2. Trustee duty (p. 3): I adapted this concept and put it in.
3. Directors/trustees (p. 3): I can't make the change from directors to trustees. They were directors in the 1976 Constitution, and that's what the delegates voted to return to.
4. Section 4(a) (p. 4): I made this change.
5. Section 5(d)(p. 4): I made this change.
6. Section 5(a)(p. 4): I made this change.
7. Elected board (p. 5): This was discussed extensively and voted down.
8. Section 8(b)(p. 6): I tried to clear this up in the legislative history. See what you think.
9. Legislative history on Section 8(b)(p. 6): I also took these suggestions and made changes.
10. Allocation of investments(p. 7): This has been debated extensively. Tom Aldan (formerly of the retirement board) has very firm and fixed views on this, and he is able to carry most delegates on this kind of subject.
11. Section 8(c)(p. 7): The folks who are in favor of keeping the funds generated by the public lands reserved for the persons of Northern Marianas descent (as well as the lands) have been somewhat frustrated by my advice that the exception to the U.S. Constitution for Article 12 applies only to the lands and not to money. Therefore they have devised a number of ways (such as funding the homestead program) to get around this obstacle.
12. Section 8(b)(p. 8): I think I fixed this problem, but you should look at the new language. The reason for the limitation is the same as #10 above.
13. Section 8(c)(p. 8): The reason the preserves are here and under the Bureau is that the Bureau may not have much money given the amount of land set aside in the preserves.
14. Section 5(c): This is a good point; I argued it but it was rejected by the Committee. 1