

Dear Senator Xxx:

The Post Convention Committee is requesting the Senate's support on two measures: (1) House Joint Resolution 9-25 which was adopted by the House of Representatives on August 9, 1995; the joint resolution if adopted by the Senate would recall House Legislative Initiative 9-1 from the Board of Election; and (2) House Bill 9-⁴⁰²SD1, HD2 which would move the date for the voting of amendments proposed by the Third Constitutional Convention to six months from the general election in November of this year.

As you know, the Third Constitutional Convention after public hearings and extensive committee meetings, has proposed a budgetary scheme for the Legislature which is much more fiscally conservative than the budget contained in H.L.I. 9-1. Because of the conflicting provisions between the convention's proposal and H.L.I. 9-1, we believe that the best interest of the general public would be served if the Legislature recalls H.L.I. 9-1. The recall is necessary to avert a constitutional crisis that would arise if both measures are presented to the general public concurrently.

Again, we appeal to the Senate to approve House Bill 9-⁴⁰²SD1, HD2 that would set a later date for the voting of the constitutional amendments proposed by the convention. The Post Convention Committee feels that additional time is needed to conduct an adequate public education program on the proposed amendments by the Third Constitutional Convention. We also believe a separate date would give the people ample time at the polling booth to review the amendments and make an informed decision whether or not to approve the amendments.

We hope the Senate will favorably consider our request. If you have any question on our position, please call the Post Convention office at 235-0843 or fax 235-0842.

Sincerely,

HERMAN T. GUERRERO
Chairman, Post Convention Committee

cc: Members, Post Convention Committee
All Delegates, Third Constitutional
Convention

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FOURTH REGULAR SESSION, 1995

H. J. R. NO. 9-25
adopted 9/9/95

A HOUSE JOINT RESOLUTION

To recall House Legislative Initiative 9-1 from the Board of Elections and for other purposes.

1 WHEREAS, House Legislative Initiative 9-1 was passed by the House of
2 Representatives on March 10, 1994 and by the Senate on June 7, 1994 and was
3 duly thereafter transmitted to the Board of Elections to be placed on the ballot
4 at the next regular general election which shall be held on November 4, 1995;
5 and

6 WHEREAS, House Legislative Initiative 9-1 proposes substantive changes
7 to Article II of the Commonwealth Constitution, specifically with regard to the
8 budgets of the Legislature and Legislative Bureau; and

9 WHEREAS, Ninth Northern Mariana Islands Commonwealth Legislature
10 passed and on January 6, 1995 the Governor signed into law Public Law 9-18
11 entitled the "Northern Marianas Third Constitutional Convention Enabling
12 Act" which authorized the convening of the Third Northern Marianas
13 Constitutional Convention on June 5, 1995; and

14 WHEREAS, section 12 of Public Law 9-18 specifically vested the
15 Constitutional Convention with the duty to "propose such amendments to the
16 Constitution . . . as it believes to be in the best interests of the people of the
17 Commonwealth;" and

18 WHEREAS, consistent with that mandate, the Third Constitutional
19 Convention proposed far reaching amendments to Article II with respect to
20 the structure of the Legislative Branch including substantive amendments to
21 the budgets of the Legislature and the Legislative Bureau; and

22 WHEREAS, these amendments proposed by the Third Constitutional
23 Convention and the amendments proposed by Legislative Initiative 9-1
24 embrace the same subject matter, the legislative budget, but propose very
25 different approaches and limits to legislative spending; and

HOUSE JOINT RESOLUTION NO. **9-25**

1 WHEREAS, the Legislature was accorded the opportunity to provide
2 commentary and testimony with regard to the amendments proposed by the
3 Convention and the Committee on Legislative Branch and Public Finance has
4 duly considered the Legislature's views and incorporated the Legislature's
5 concerns into its decision making process; and

6 WHEREAS, Public Law 9-18, section 19(a) provides that the amendments
7 to the Constitution proposed by the Convention shall be submitted to the voters
8 for ratification at the November 1995 regular general election; and

9 WHEREAS, this timetable for ratification may be extended for six months
10 to May 1996 if House Bill 9-408 becomes law; and

11 WHEREAS, regardless of when the amendments proposed by the
12 Convention are submitted to the voters, there is the possibility that
13 inconsistent proposals to Article II of the Constitution may be approved; and

14 WHEREAS, it is foreseeable that such an event would lead to
15 administrative and fiscal confusion and generally undermine the stability and
16 credibility of the political process; and

17 WHEREAS, it is essential that the elected representatives of the people of
18 the Commonwealth, the members of the Legislature and the Convention
19 delegates, speak with one voice; and

20 WHEREAS, it is within the power of the Legislature to recall their action
21 from the Board of Elections so that the voters of the Commonwealth may make
22 an unambiguous decision regarding the Legislature's budget by approving or
23 disapproving the Convention's proposal; now, therefore

24 BE IT RESOLVED, by the House of Representatives of the Ninth Northern
25 Mariana Islands Commonwealth Legislature, Senate concurring, that
26 Legislative Initiative 9-1 is hereby recalled from the Board of Elections so that
27 the voters of the Commonwealth may exercise an unambiguous choice
28 regarding legislative matters, to enhance political stability, and to avoid
29 inconsistent political and administrative results should both the Convention's
30 proposal and the legislative initiative be approved by the voters; and

31 BE IT FURTHER RESOLVED that the Speaker of the House of
32 Representatives and the President of the Senate shall certify and the House
33 Clerk and the Senate Legislative Secretary shall attest to the adoption of this
34 joint resolution and thereafter transmit certified copies to the Honorable

HOUSE JOINT RESOLUTION NO. **9-25**

- 1 Froilan C. Tenorio, Governor of the Commonwealth of the Northern Mariana
- 2 Islands; to the Attorney General; and to the Chairman of the Board and the
- 3 Executive Director of the Board of Elections.

Date: **8-9-95**

INT R D 0 9 AUG 1995

[Handwritten signatures]

Introduced By: *[Handwritten Signature]*
 Rep. Heinz S. Hofscheider



The House of Representatives
 NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
 P.O. Box 586
 Saipan, MP 96950

1st DAY, 4th NINTH LEGISLATURE
 REGULAR/SPECIAL SESSION, 1995

VOTING RECORD

ON:

proceed
HR 9-25 3 defeated

REPRESENTATIVES	YES	NO	OTHER
1. Rep. Joaquin G. Adriano	1		
2. Rep. Jesus T. Attao	5		
3. Rep. Vicente T. Attao		1	
4. Rep. Oscar M. Babauta			<u>ay</u>
5. Rep. Ramon C. Dela Cruz		2	
6. Rep. Crispin Deleon Guerrero		3	
7. Rep. Vianney B. Hocog			<u>absent</u>
8. Rep. Heinz S. Hofschneider		4	
9. Rep. Mametto U. Maratita			<u>ay</u>
10. Rep. Herman T. Palacios	2		
11. Rep. Maria T. (Malua) Peter	6		
12. Rep. Pedro P. Reyes		5	
13. Rep. Benjamin A. Sablan		6	
14. Rep. Alvaro A. Santos	3		
15. Rep. Manuel A. Tenorio		7	
16. Rep. Ana S. Teregeyo			<u>ay</u>
17. Rep. Stanley T. Torres	4		
18. (Rep.) Speaker Diego T. Benavente		8	
TOTAL	76	8	

DATE: 8-9-95

ATTESTED BY: [Signature]
 House Clerk