

## **Third Constitutional Convention**

Post Committee  
Public Education Campaign

Television Programming  
September 12, 1995

### HOST OPENING STATEMENT:

Hafa Adai and thank you for joining us for what well may be the most important hour of our lifetime and the future of our children and their future generations--

We're here to talk about the CNMI Constitution..and some very important changes in our Constitution that you will be asked to vote for or against.

Our goal today is to inform you about the suggested amendments in the Constitution as voted on by an overwhelming majority of the delegates during the Third Constitutional Convention:

### INTRODUCTION OF GUESTS:

### FIRST QUESTIONS:

- (1) A minute ago, I said that the suggested changes were voted on by a majority of the Con-Con delegates. I also understand that these proposals came only after committee meetings, public hearings, debate and a democratic process. How many of the delegates actually agreed on these proposals?
- (2) When will the election take place: (At time of taping, Delegates were anticipating that the Con-Con elections will/would take place with November's General Election)
- (3) Can people still comment or debate these issues? (No. We're hear to tell them what the Delegates did, what the rational was, just to educate so voters can make an informed decision at the polls)
- (4) Will people vote on the whole document or article by article?  
(By subjects/articles)

Let's talk about the articles:



HOST:

Article III:

Executive Branch

The Convention felt that the public wants this section to be strengthened in order to demand more accountability of the Governor and the Executive Branch:

- 1:     **Budget:**
  - ▶ Strict time deadlines for Governor to submit it to the Legislature and Legislature to approve it.
  - ▶ Personal Liability for Secretaries/Directors who over expend the budget.
  
- 2:     **Residency:**   ▶ From 10 years to 7 years in order to run for Governor
  
- 3:     **Emergency Powers:**
  - ▶ Must report to Legislature within 30 days (not 60)
  
- 4:     **Attorney General:**
  - ▶ May be removed only "*For-cause*"
  - ▶ No Residency Required, but Legislature could require through law
  - ▶ Must pass CNMI Bar Exam
  
- 5:     **Board of Education:**
  - ▶ Governor appoints Secretary of Education
  - ▶ Secretary of Education sets policy
  - ▶ Local Districts: Each island elects its own BOE
  
- 6:     **Civil Service:**

*Basically moved under Executive Branch*

  - ▶ Every government employee is Civil Servant (if salary comes from Commonwealth General Fund/Taxes)
  - ▶ Governor's Special Assistants exempt
  - ▶ Legislature may also exempt professionals
  - ▶ 7 member Commission
  - ▶ Must not be government employees

HOST:

Article IV:

Judicial Branch

Proposal is to secure the CNMI Supreme Court in the Constitution

- ▶ **Supreme Court is the CNMI's Appellate Court**  
(Though the 9th Circuit may still be used)
  
- ▶ **Justices:** Appointed by Governor/Confirmed by Senate  
Serve a 12 Year Term  
Must Run in Election after 1st Term
  
- ▶ **Judges:** 6 Year Term  
Must Run in Election after 1st Term

HOST:                    Article V:                    Washington Representative

Proposal is that if the U.S. Congress ever allows the CNMI a non-voting delegate status (or voting status) that our Constitution would also allow it, so that we'd not have to amend our Constitution again.

HOST:                    Article VI:                    Local Government

**I:        Municipal Councils/Mayor's:**

Delegates feel they are proposing changes that will strengthen municipal councils.                    One Tinian Delegate says, *"The local laws and actions by the Mayors and Councils will really be from the people, at the grass-roots level."*

- ▶ Constitution Gives Council Authority
- ▶ Power to Generate Local Revenues
- ▶ Must Have Public Hearings
- ▶ Mayor's: Authority to Veto/Approve Council Laws.

HOST:                    Article VII:                    Holding Office/Voting

- ▶ No Felons. If convicted, cannot run. If convicted, vacate office.
- ▶ Residency Requirements: Not in Constitution/Let to Legislature

HOST:                    Article VIII:                    Elections

- ▶ Legislature Given Power to Establish Procedures

HOST:

Article IX:

Recall

► **Impeachment:**

If the public is not satisfied with the performance of an elected official, a petition is passed to registered voters for "impeachment." Only 20% of the registered voters are required to certify the petition. (No longer would 40% signatures be required)

► **Simple Majority:**

No longer would it be required to obtain 2/3rds majority. So, regardless of how many people vote in an election, impeachment is possible with a simple majority vote.

► **Lt. Governor:**

If Governor is impeached, the Lt. Governor becomes Governor and appoints a new Lt. Governor.  
(This allows the Lt. Governor and Governor to be members of the same Party)

HOST:

Article X:

Taxation

- No Taxation without Public Hearing
- Any Deficit must be Retired within 2-Years
- During Deficit Years: No Government Employee receives Pay Raise
- During Deficit Years: Hiring Freeze except on Public Safety & Public Health

HOST:

Article XI:

Commonwealth Lands

The Delegates are proposing two major improvements:

- Creation, by Constitution, for a *Marianas Land Bureau*  
5-member Board, All Private-Sector People

HOST:

Article XII:

*Land Alienation*  
Restriction of Alien Lands

Delegates feel the following proposals not only strengthen Article 12--but will stabilize or improve the economy by allowing the Judicial Branch to solve many issues not specifically addressed in the Constitution:

- ▶ Must be of 25% Indigenous Blood to Purchase Property
  
- ▶ May Inherit or be Gifted Land if Adopted by Age 6.
  
- ▶ All Generations May Inherit Family Land Regardless of Percentage of Blood.
  
- ▶ Spouse May Inherit Land through his/her Life-Span.
  
- ▶ Legal Disputes: The Courts shall determine whether the entire lease is "Voided" or whether the person who leased the land may stay on the land.
  
- ▶ No Other Obligations: At the end of the 55-year lease, the Land-Owner does NOT have to buy-back any property improvements (hotels/houses) leaving the owner the option of taking it all back, re-leasing the property or entering into a partnership regardless of the owner's financial status.
  
- ▶ Corporations: 51% of the Stock-Holders must be Indigenous Actual Decision-Makers

HOST:

Article XIII:

No Changes  
*Eminent Domain*

HOST:                      Article XIV:                      Natural Resources

The proposed amendments protect all natural resources found on, in or beneath the public lands within the Commonwealth, its 200 mile Economic Zone, and beyond.

- ▶ Water, Minerals, Marine Life, etc.
  
- ▶ 5% Royalties Paid to Local Municipal Councils  
Closest to the discovery of resources

HOST:                      Article XV:                      Gaming

- ▶ Legislature Cannot Decide
  
- ▶ Each Senatorial District Decides by Elections:
  - Popular Initiative
  - 2/3 rds majority required

HOST:                      Article XVI:                      *Cooperation*  
No Changes

HOST:                      Article XVII:                      Ethical Standards

The Delegate propose that Ethics of public officials be guaranteed in the Constitution:

Each Branch, Executive, Legislative, Judicial must create regulations & enforcement.



- ▶ Establishes *Land Reserves*, which cannot be leased or sold

HOST:                    Article XVIII:            Mutual Consent

One Person = One Vote/ Majority Rules!

- ▶ Simply Majority Vote Required in Elections/All Islands  
(Not 2/3rds majority)

HOST:                    Article XIX:            Unity

- ▶ Saipan is the Capitol
- ▶ Seal now includes date: 1978
- ▶ Flag Changes to a darker blue, "Marianas Trench"