

# AMENDMENT NO. 18

## AMENDMENT OF ARTICLE 18: CONSTITUTIONAL AMENDMENT

DESCRIPTION OF CHANGES  
PROPOSED BY THE  
CONSTITUTIONAL CONVENTION

AMENDED CONSTITUTION AS PROPOSED  
BY THE CONSTITUTIONAL CONVENTION

Title: The title of Article 18 has been changed to reflect the new section on mutual consent.

Article 18, Section 1: Decrease the number of signatures required on a petition to amend the Constitution by popular initiative from 50% to 30% of the qualified voters. (This is former Article 18, Section 4(a).)

Article 18, former Section 1 has been deleted entirely because the format of Article 18 has been changed and it is no longer needed. Former Section 1 provided:

Section 1: Proposal of Amendments. Amendments to this Constitution may be proposed by constitutional convention, legislative initiative or popular initiative.

Section 2: A constitutional convention may not be called for 25 years (until the year 2021). Increase the number of signatures required on a petition to call a constitutional convention from 25% to 30% of the qualified voters. Delete the provision for calling of a constitutional convention by the voters in one senatorial district. (This amends former Section 2(b).)

Former Section 3, which allowed the legislature to call a constitutional convention, has been deleted entirely. It provided:

Section 3: Legislative Initiative. The legislature by the affirmative vote of three-fourths of the members of each house present and voting may propose amendments to this Constitution. A proposed amendment may not embrace the subject matter of more than one article of this Constitution. An act of the legislature under this section may not be vetoed by the governor.

Section 3: Provides that mutual consent to changes in the Covenant can be accomplished only by enactment by the legislature, approval by the governor, and

## ARTICLE XVIII: CONSTITUTIONAL AMENDMENT AND MUTUAL CONSENT

### Section 1: Amendment by Popular Initiative.

**The people may propose constitutional amendments by initiative. An initiative petition shall contain the full text of the proposed amendment. The petition shall be signed by at least thirty percent of the persons qualified to vote in the Commonwealth and at least twenty-five percent of the persons qualified to vote in each senatorial district.**

### Section 2: Amendment by Constitutional Convention.

**An initiative petition may submit to the voters the question, "Shall there be a constitutional convention to propose amendments to the Constitution?" The petition shall be signed by at least thirty percent of the persons qualified to vote in the Commonwealth and at least twenty-five percent of the persons qualified to vote in each senatorial district. An initiative petition for this purpose may not be used until the year 2021.**

### Section 3: Mutual Consent.

**Consent by the government of the Commonwealth to amendment of any fundamental provision of the Covenant to Establish a**

ratification by the people. This is new.

**Commonwealth of the Northern Mariana Islands in Political Union with the United States of America protected by the mutual consent requirement of section 105 of the Covenant shall be communicated to the United States and bind the Commonwealth only after the proposed amendment to the Covenant has been approved within sixty days by a vote of three-fourths of the members of each house of the legislature after public hearings and adequate information about the position of the United States as to its consent, approved by the governor, and ratified by the people in accordance with section 4 of this article.  
If the legislature has not acted within sixty days, the proposed amendment shall be deemed approved by the legislature.**

**Section 4: Ratification.**

Section 4(a): Requires the Attorney General to certify that there are no conflicts between the proposed constitutional amendment or mutual consent provision and articles of the constitution that are not amended. (This is former Section 4(b).)

**a) An initiative petition or a proposed consent to a change in the Covenant shall be filed with the attorney general for certification that the requirements of this article have been met and that, if approved, there are no direct conflicts with provisions of the constitution not amended.**

Section 4(b): Adds requirement that the election at which a constitutional amendment proposed by popular initiative is submitted to the voters be at least 90 days after certification by the Attorney General; and changes the approval requirement to 60% of the votes cast. (This amends former Section 4(b) and Section 5(b).)

**b) A proposed constitutional amendment by initiative petition or a proposed consent to a change in the Covenant certified by the attorney general shall be submitted to the voters for ratification at the next regular general election that is held at least ninety days from the date the petition has been certified or at a special election provided by by law and shall become effective if approved by at least sixty percent of the votes cast.**

Former Section 2(a) which permitted the legislature to call a constitutional convention has been deleted entirely. It provided:

The legislature, by the affirmative vote of a majority of the members of each house, may submit to the voters the question, "Shall there be a constitutional convention to propose amendments to the Constitution?" The legislature, or the governor in the event the legislature fails to act, shall submit this question to the voters at a regular general election no later than ten years after the question was last submitted and as provided by law. An act of the legislature under this subsection may not be vetoed by the governor.

Section 4(c): If the voters approve the calling of a constitutional convention by a majority vote, the legislature convenes a convention which operates under prescribed rules: election on a non-partisan basis; no elected officials may run; the convention enacts its own rules. Amendments proposed by constitutional convention are submitted to the voters at an election at least 90 days from the end of the convention, and are approved by a majority of the voters (unless the convention's rules provide for a larger

**c) If the calling of a constitutional convention is approved, the legislature shall convene a convention promptly which shall be organized under rules enacted by the convention. The number of delegates to the convention shall be equal to the number of members of the legislature. No person holding an elected office may be a delegate. Delegates to the convention shall be elected on a non-partisan basis. Constitutional amendments proposed by a convention shall be submitted to the voters at the next regular election that is held at least ninety days from the end of the convention or at a special election provided by law and shall become effective if approved by a majority of the votes cast or such higher requirement as provided by the convention.**