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FOR: ALICIA GUERRERO

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FROM: Deanne Siemer

MESSAGE

Alice --

Can you get this to John Oliver and be sure that it is okay with him.

Also, could you have Shawn come and pick up the disk for delivery to the Star first thing tomorrow with the signed copy.

Thanks.

Deanne

OPEN LETTER TO THE VOTERS ABOUT
COMMENTS ON PROPOSED
AMENDMENTS #16, 17, 18 AND 19

As a young delegate and one who is most concerned about the Commonwealth's future, I would like to respond to the Pacific Star columnist's comments on Amendment #16 through Amendment #19. Thus far, the Star's columnist has found only one proposed Amendment on which she will vote YES. She is opposed to 16 of the 19 Amendments, and she can't decide how to vote on Amendment #17 and Amendment #19.

The Star's columnist is opposed to giving our courts constitutional status as proposed by Amendment #4; she is opposed to a declaration that we want a representative in the U.S. Congress as proposed by Amendment #5; she is opposed to controls on spending by the mayors as proposed by Amendment #6; she is opposed to barring felons from becoming elected officials as proposed by Amendment #7; she is opposed to making it easier for our citizens to recall elected officials who perform badly as proposed by Amendment #9; she is opposed to controlling our deficits as proposed by Amendment #10; she is opposed to protecting our public land as proposed by Amendment #11, and on and on.

The Star's position of the Star's columnist reflects a view firmly rooted in the past, and a penchant for letting detail obscure the big picture.

For the younger generations and for our future generations, let me express my hope that the voters will focus on the Commonwealth's bright future and adopt reforms that will help us on our way to being the most responsible and hard working democracy that we can be.

Amendment #16 downsizes the Civil Service Commission from 7 to 5 members. The Star's columnist thinks that this will increase the Governor's influence. That is wrong. Under the current system, with seven members, one member's term expires each year and one member's term expires concurrently with the term of the Governor. Therefore, each governor can appoint at least four members. Four is a majority of the seven-person Board. The Governor's influence is not increased under our proposal when the Governor still appoints a majority of the Board during his term. If the Governor's appointees vote together, they will control the Board under the current system and under proposed Amendment #16.

In addition, we have provided that all of the members of the Civil Service Commission will come from the private sector. This means that they do not work for the Governor. They will have more independence than under the current system where government employees are appointed. We need to downsize our government. The Civil Service Commission will work just as well with 5 members as with 7.

We have exempted the Governor's personal staff. The United States civil service system and all state civil service systems all exempt the personal staff of elected officials. That is the practical thing to do. These are not career civil servants. They work only for the elected official. To make them a part of the civil service would distort the system.

We have placed the Civil Service Commission under Article III on the Executive Branch. That is where it belongs. There are only three branches of government: the Executive Branch, the Legislative Branch, and the Judicial Branch. The Star's columnist thinks that the "perception" of independence is fostered by having a separate article. That is wrong. The independence of the Civil Service Commission from political influence is stated in the Constitution. The placement of the language in the Executive Branch article makes this guarantee stronger.

The Star's columnist is opposed to Amendment #18, which protects our Covenant from change by providing that the mutual consent of the Commonwealth can be given only after the people vote. As things stand now, the Governor is talking about renegotiating the Covenant under a system where, as head of the Commonwealth, he could just claim the power to sign these changes and bind the Commonwealth. The United States certainly could agree with that position if they got changes that they want.

The Star's columnist says that we eliminated the legislative initiative to amend the Constitution. That is really misleading. What we did was to allow a "legislative initiative" so long as the legislators get together and obtain the necessary number of signatures. For example, if 9,000 people voted in the last election, the legislators would have to get 30% of that number to sign their petition. That is 2,700 signatures.

Let's assume that Amendment #2 passes, and the Legislature is reduced from 27 to 19. Under the existing rule, a 3/4 vote is needed in each house on a proposed constitutional amendment. So they would need 3/4 of the 6 members of the Senate (or 5 members) and 3/4 of the 13 members of the House (or 10 of 13). If those 15 members went out into the community to get the required signatures, each one would each need to get only 180 signatures. Does the Star's columnist think that this is a big problem? Is there ANY legislator who, with all the community workers around, could not bring in 180 signatures? Of course there is still a "legislative initiative." They just need to get their constituents to go along with them, that is all.

Perhaps if the Star's columnist had attended any of the Convention's sessions, or had attended any of our public hearings where people testified, or attended any of our village or other public meetings during and after the Convention, she would have learned about the detailed information we delegates considered and the long consideration we gave to competing views. We have repeatedly offered to meet with her, but she won't even talk to any of us about these Amendments. Sad commentary.

Sincerely,

John Oliver D.R. Gonzales
Delegate
Third Northern Marianas
Constitutional Convention