

THE PRESIDENT'S PAGE

By HERMAN T. GUERRERO, CHAIR
POST CONVENTION COMMITTEE

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The Post Convention Committee is confident that the vote of the amendments proposed by the Third Constitutional Convention will go forward on schedule on March 2. The voters demand that they be given the right to decide themselves whether these 19 amendments should be approved or rejected. Those who seek postponement show their lack of confidence in the voters — and their fear that the amendments will be approved!

As the March 2 election approaches, the critics of the Convention's proposals are working hard to confuse and mislead the voting public. For example, they have argued that Amendment #18, if approved, will mean that the Commonwealth's Constitution cannot be revised for 25 years. Let me demonstrate how wrong this is.

Amendment #18 and the Popular Initiative

Amendment #18 does provide that another constitutional convention cannot be called for at least 25 years. There are good reasons for this. It was probably a mistake for the 1985 Convention to provide that the voters should have the right to convene a Convention every ten years. It would have been better to have used twenty or twenty-five years as the appropriate time frame. Most experts in the field argue strongly that too frequent constitutional conventions lead to instability in government institutions and policies. The Founding Fathers in 1776 provided in the first Constitution that a convention should be held within seven years of the establishment of constitutional government in the Commonwealth. They were concerned about the uncertainty as to when the Trusteeship Agreement would be terminated with respect to the Northern Marianas, at which point certain provisions of the Covenant would come into effect. That is why there was a convention in 1985.

But this does NOT mean that the Constitution cannot be amended for at least 25 years. In fact, Amendment #18 makes the popular initiative more accessible as a means of amending specific sections or articles of the Constitution. Under the current Constitution a popular initiative cannot get on the ballot unless the initiative petition has the signatures of "at least fifty 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." This is a burdensome requirement. The delegates have proposed changing this to the



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simple requirement of 30% of the qualified voters in the Commonwealth. This will make it much easier to get proposed amendments on the ballot.

It is true that Amendment #18 would no longer give the Legislature the special right to propose amendments without any consultation with their constituents. Based on the Commonwealth's experience with the legislative initiative over the last 10 years, the delegates concluded that the Legislature was interested principally in amending the Constitution to increase its own funding. This past week has provided yet another example of this self-serving tendency. The Commonwealth legislators are not especially unusual in this respect. Many States require the affirmative votes of two separate legislatures (usually over a period of at least two years) before permitting the legislators to propose a constitutional amendment, thereby ensuring time for reflection and public debate. Here, on the other hand, legislative initiatives have a way of emerging — without public hearings or any advance notice — before a long holiday weekend when press coverage is unlikely.

The delegates were well aware that the legislators may indeed be in a good position to recommend constitutional amendments. Under Amendment #18, however, the legislators have no special privileges but must follow the popular initiative path that is open to all Commonwealth citizens. What is wrong with that? It should be quite easy for a group of legislators to get the low number of signatures required. If four senators and seven representatives agree on a proposed amendment, for example, each only has to get about 175 signatures to meet the new 30% requirement. Is that an unreasonable burden? The delegates thought not and believed that the requirement would ensure that any proposed amendment will be widely discussed by the public and in the media before it is actually voted upon.



Palacios may have conducted 'illegal' raids

By FLOR B. PAMINTUAN

Chances of former Deputy Secretary Herman T. Palacios' returning to the Department of Labor and Immigration are slim.

This developed after a decision was made by the Tenorio administration that his return to the department would put the government in jeopardy.

This is according to a



Palacios

source who said that putting Palacios back in his former position might create problems which could involve the government.

The source insisted on anonymity.

The source said that Palacios, while carrying out his duties in implementing the labor and immigration laws might have violated some constitu-

tional rights of the individuals they were apprehending.

The source, however, did not elaborate on the issue but mentioned that a discussion for another government position is under consideration, "but definitely not in that department."

Palacios had resigned from his post after complaints were received by the administration that his effort in tracking down

illegal alien workers were negatively affecting some businesses.

Since he assumed his position in the department early this year, he had conducted various 'raids' in some establishments and had denied entry to more than 100 Chinese nationals who according to him were entering the Commonwealth without proper documents.

Macphetres urges students to vote no on Article 13

By FLOR B. PAMINTUAN

Northern Marianas College President Agnes McPhetres on Friday urged students to vote against Article 13 of the Constitution which she said would take away education out of the hands of professionals and put it right into the hands of the

politicians.

McPhetres emphasized this in her speech during NMC's Charter Day ceremonies wherein she encouraged the voters to protect the education's autonomy.

According to McPhetres, if the amendment is passed, it would take away the college's

autonomy from the hands of the Board of Regents and put it into the hands of the political leaders.

"Our first Constitutional Convention recognized the essence and delicate nature of education and put it into the hands of people who value its importance. The second

Concon did the same. I am not saying that politicians are ignorant and uncaring but they have a different agenda," he explained.

McPhetres along with Board of Regents Chairman Vicente Santos urged all students to vote "no" on Article 13 which according to them will

leave all college matters to the Legislature.

The issue of Article 13 was mentioned by McPhetres after relating how the Northern Marianas College for 15 years had enjoyed its autonomy and the amendment would endanger the college's tradition of winning.