

May 11, 1995

Memo for Herman T. Guerrero

From: Howard Willens and Deanne Siemer

Re: Governor's proposals

We have put into proposal format the Governor's points outlined in his speech of March 22, 1995. We think it is important to get these proposals into the hopper so that the delegates can focus on them.

Like the proposals to effect "updating" items and the proposals to delete "legislative" items identified by counsel, which would be proposed by the Chair for reasons of efficiency, we have put the Governor's proposals under your name as Chair. If that is not acceptable to the Governor, let us know what should be done.

We have not made separate proposals on behalf of the Governor where his point is already covered by one of the "updating" or "legislative" proposals that have been submitted.

We have attached a copy of the Governor's speech with marginal notes indicating the number of the proposal that corresponds to each item covered in the speech.

con0511a

Remarks of

GOVERNOR FROILAN C. TENORIO

FIFTH ANNUAL CLOSE UP CNMI CONFERENCE
"THE 3RD CONSTITUTIONAL CONVENTION:
PRIORITIES FOR CHANGE

March 22, 1995

THANK YOU. Hafa Adai and good morning. It is a privilege to be here to discuss the future of our Commonwealth with the future leaders of our Commonwealth. Since you are going to be the ones who will have to live and work and lead under our Constitution, the success or failure of the Third Constitutional Convention will make a major difference in your lives.

There are several major priorities for the Third Constitutional Convention.

The Constitution needs to be changed back into a long-term guiding document, instead of being a code of super laws that cannot easily be modified as circumstances change. We need to re-empower the legislature. We need to provide for coherent government policies, and reduce the likelihood of confusion and lawsuits. A better balance must be struck between the central Commonwealth government and the individual interests of the three major islands.

We need to strengthen the accountability for our public school system, so that you students are no longer cheated out of a good education. Our judicial system should be strengthened. And several other smaller, yet important changes are necessary in the interest of good government.

First and foremost, the Third ConCon should undo most of what was done by the second one. It must return the Constitution to the long-term guiding document it was supposed to be. It is amazing that the U.S. Constitution has been amended fewer than thirty times in over 200 years, and our Constitution has already been amended nearly fifty times in less than 20 years.

Some of these amendments were good, like the one requiring a balanced budget. Most of them, however, were little more than legislation fueled by the passions of the moment, and they don't belong in our Constitution.

Before we take a look at the Constitution, however, we have to go back to basics--back to the covenant--to see where the Constitution fits in. Contrary to popular belief, the CNMI

CONSTITUTION IS NOT THE SUPREME LAW OF THE LAND. LET ME READ YOU SECTION 102 OF THE COVENANT:

THE RELATIONS BETWEEN THE NORTHERN MARIANA ISLANDS AND THE UNITED STATES WILL BE GOVERNED BY THIS COVENANT WHICH, TOGETHER WITH THOSE PROVISIONS OF THE CONSTITUTION, TREATIES AND LAWS OF THE UNITED STATES APPLICABLE TO THE NORTHERN MARIANA ISLANDS, WILL BE THE SUPREME LAW OF THE NORTHERN MARIANA ISLANDS.

UNDER SECTION 203 OF THE COVENANT, OUR ORIGINAL CONSTITUTION HAD TO BE APPROVED BY THE UNITED STATES AS CONSISTENT WITH THESE SUPREME LAWS. WE CAN MAKE AMENDMENTS OURSELVES WITHOUT FURTHER APPROVAL, BUT IF ANYBODY COMPLAINS, THE FEDERAL COURTS WILL DETERMINE IF OUR CONSTITUTION AND ITS AMENDMENTS ARE CONSISTENT WITH THOSE LAWS.

TO STATE THIS MORE CLEARLY, OUR CONSTITUTION IS NOT THE SUPREME LAW OF THE COMMONWEALTH. WE CANNOT HAVE ANYTHING IN OUR CONSTITUTION THAT VIOLATES THE COVENANT. WE CANNOT HAVE ANYTHING IN OUR CONSTITUTION THE VIOLATES THE APPLICABLE TREATIES AND LAWS OF THE UNITED STATES. THIS IS CALLED FEDERAL SUPREMACY, AND IT IS ONE OF THE THINGS WE AGREED TO WHEN WE BECAME AMERICANS.

OUR ORIGINAL CONSTITUTION, WRITTEN BY THE FIRST CONSTITUTIONAL CONVENTION IN 1976, GENERALLY CONFORMED TO THE COVENANT AND OTHER SUPREME LAWS. MANY OF THE AMENDMENTS ADOPTED BY THE SECOND CONSTITUTIONAL CONVENTION IN 1985 DID NOT.

ARTICLE II OF THE COVENANT SETS FORTH THE RULES FOR OUR LOCAL CONSTITUTION. SECTION 203 REQUIRES THAT WE HAVE THREE, AND ONLY THREE, BRANCHES OF GOVERNMENT—THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES. IT ALSO STATES THAT "THE LEGISLATIVE POWER OF THE NORTHERN MARIANA ISLANDS WILL BE VESTED IN A POPULARLY ELECTED LEGISLATURE AND WILL EXTEND TO ALL RIGHTFUL SUBJECTS OF LEGISLATION".

"ALL RIGHTFUL SUBJECTS OF LEGISLATION", WHAT IS THAT? WELL, LET'S CONSIDER WHAT A WRONGFUL SUBJECT OF LEGISLATION IS. I WOULD SAY THAT A WRONGFUL SUBJECT OF LEGISLATION IS ONE THAT VIOLATES THE PERSONAL RIGHTS SPELLED OUT IN ARTICLE I OF OUR CONSTITUTION. FOR EXAMPLE, ESTABLISHING RELIGION OR ABRIDGING FREEDOM OF SPEECH. A WRONGFUL SUBJECT WOULD ALSO BE ONE THAT VIOLATES THE COVENANT OR OTHER PARTS OF OUR SUPREME LAW. A RIGHTFUL SUBJECT OF LEGISLATION IS EVERYTHING ELSE.

THIS IS WHERE THE SECOND CONCON BROKE DOWN. INSTEAD OF STICKING TO CONSTITUTIONAL ISSUES, IT SET ITSELF UP A SUPER-LEGISLATURE, WHOSE ENACTMENTS COULD NOT BE REPEALED OR AMENDED BY THE REGULAR LEGISLATURE. AMENDMENT AFTER AMENDMENT RESTRICTED THE POWER OF THE LEGISLATURE. MANY

RIGHTFUL SUBJECTS OF LEGISLATION WERE TAKEN AWAY IN VIOLATION OF THE COVENANT. LET ME LIST A FEW OF THEM:

- 79 — THE LEGISLATIVE BUDGET AND LEGISLATIVE BUREAU;
- 39 — THE RETIREMENT SYSTEM;
- 40 — BOARDS AND COMMISSIONS;
- 78 — TAXPAYER SUITS;
- 76 — ✓ THE SPECIAL ASSISTANT FOR WOMEN'S AFFAIRS;
- 77 — ✓ THE RESIDENT EXECUTIVE FOR INDIGENOUS AFFAIRS;
- 75 — ✓ REAL PROPERTY TAX PROCEDURES
- 71 — ✓ THE BOARD OF EDUCATION;
- 71 — ✓ NORTHERN MARIANAS COLLEGE; AND
- 74 — ✓ THE OFFICIAL SEAL, FLAG, AND LANGUAGES OF THE COMMONWEALTH

81

WORST OF ALL WAS THE INFAMOUS AMENDMENT 25, WHICH INSERTED DETAILED PROVISIONS ABOUT LOCAL GOVERNMENT AND ITS RELATIONS TO THE CENTRAL COMMONWEALTH GOVERNMENT. UNFORTUNATELY, THESE DETAILS OFTEN CONTRADICTED EACH OTHER AND THEY SET UP AN IMPOSSIBLE SYSTEM THAT THE LEGISLATURE IS POWERLESS TO FIX. THE MONEY SPENT ON LAWSUITS CAUSED BY THIS AMENDMENT COULD BE PUT TO MUCH BETTER USE.

I AM NOT SAYING THAT ALL THE AMENDMENTS BY THE SECOND CONCON WERE BAD IDEAS, BUT THEY ARE IN THE WRONG PLACE. THEY SHOULD HAVE BEEN CONSIDERED BY THE LEGISLATURE THROUGH THE REGULAR LEGISLATIVE PROCESS.

THE FIRST PRIORITY FOR CHANGE, THEREFORE, IS TO KEEP THE CONSTITUTION SIMPLE AND RESTORE THE LEGISLATURE'S POWER OVER ALL RIGHTFUL SUBJECTS OF LEGISLATION, AS REQUIRED BY THE COVENANT. THIS WILL PROVIDE THE FLEXIBILITY TO KEEP UP WITH A CHANGING WORLD, AS WELL AS THE POWER TO MAKE CORRECTIONS AS WE GO.

WHEN WE TIE THE HANDS OF THE LEGISLATURE, IT MEANS WE DON'T TRUST OURSELVES TO ELECT GOOD PEOPLE TO REPRESENT US. BUT IF THAT IS TRUE, THEN WHY SHOULD THE DELEGATES WHOM WE ELECTED TO REPRESENT US AT THE CONCON THINK THAT THEY ARE ANY BETTER AS SUPER-LEGISLATORS THAN OTHERS ARE AS REGULAR LEGISLATORS. AT LEAST WITH THE REGULAR ONES, THEIR MISTAKES ARE EASILY UNDONE.

YOU MIGHT THINK IT IS STRANGE FOR A GOVERNOR TO WANT TO INCREASE THE POWER OF THE LEGISLATURE, BUT WE ELECT OUR LEGISLATURE TO MAKE DECISIONS FOR THE GOOD OF THE COMMONWEALTH, AND THEY NEED THE POWER AND FLEXIBILITY TO ACCOMPLISH THEIR DUTY.

IN THE SAME WAY, WE SHOULD RETAIN AND IMPROVE THE STRONG EXECUTIVE SYSTEM THAT WAS WISELY SELECTED BY THE FIRST CONSTITUTIONAL CONVENTION. EVERY FOUR YEARS WE ELECT A GOVERNOR AND LIEUTENANT GOVERNOR TO LEAD OUR COMMONWEALTH, AND THEY MUST HAVE THE POWER TO CARRY OUT THE PROGRAMS AND POLICIES THAT THEY PROMISED TO THE PEOPLE.

FOR THAT REASON, THE ORIGINAL CONSTITUTION DISCOURAGED MULTIPLE HEADS OF GOVERNMENT AGENCIES--WHAT WE CALL BOARDS AND COMMISSIONS--AND FAVORED SINGLE AGENCY HEADS REPORTING TO THE GOVERNOR. IN THIS WAY, WE HAVE CLEAR RESPONSIBILITY AND ACCOUNTABILITY FOR THE PERFORMANCE OF OUR GOVERNMENT. WE ALSO HAVE CLEAR AND COHERENT GOVERNMENT POLICIES.

THE SECOND CONCON TURNED THIS ON ITS HEAD. AMENDMENT NUMBER 20 MAKES ALL BOARD AND COMMISSION MEMBERS INDEPENDENT OF THE GOVERNOR. THIS INDEPENDENCE SOUNDS GOOD, BUT IT DOESN'T WORK. INSTEAD OF CLEAR ACCOUNTABILITY WE HAVE A DIFFUSION OF POWER. AS GOVERNOR, I CAN BE IMPLEMENTING ONE POLICY THROUGH THE REGULAR DEPARTMENTS AT THE SAME TIME THAT SOME BOARD OR COMMISSION IS IMPLEMENTING THE OPPOSITE POLICY IN THE SAME SUBJECT AREA. THIS IS A WASTE OF TAXPAYER FUNDS AND AN OPEN INVITATION TO STILL MORE LAWSUITS.

I BELIEVE IN THE SEPARATION OF POWERS CALLED FOR IN THAT SAME SECTION 203 OF THE COVENANT: AN EXECUTIVE BRANCH, A LEGISLATIVE BRANCH, AND A JUDICIAL BRANCH. THREE BRANCHES NOT FOUR. THERE IS NO REGULATORY BRANCH, NO BOARD BRANCH, NO COMMISSION BRANCH, NO AUTONOMOUS OR INDEPENDENT AGENCY BRANCH. JUST EXECUTIVE, LEGISLATIVE, AND JUDICIAL.

IF YOU THINK INDEPENDENCE FOR BOARD AND COMMISSION MEMBERS IS A GOOD IDEA, CONSIDER THIS. THE GOVERNOR IS ELECTED. HE (OR SHE) IS DIRECTLY RESPONSIBLE TO THE PEOPLE. IF THEY DON'T LIKE WHAT THE GOVERNOR HAS DONE, THEY CAN VOTE IN A NEW GOVERNOR THE NEXT TIME.

THE PUBLIC DOES NOT GET TO ELECT BOARD AND COMMISSION MEMBERS. THEY ARE ACCOUNTABLE TO NOBODY--NOT THE GOVERNOR, NOT THE LEGISLATURE, AND ESPECIALLY NOT THE PUBLIC. IF THEY JUST DO A MEDIOCRE JOB--IF THEY INSTITUTE BAD POLICIES WITHIN THEIR STATUTORY DISCRETION--YOU CAN'T TOUCH THEM. IN FACT, THE ONLY ONES THEY ARE REALLY INDEPENDENT OF ARE THE PEOPLE OF THE COMMONWEALTH.

AS HEAD OF THE EXECUTIVE BRANCH, I HAVE THE PRIME RESPONSIBILITY TO EXECUTE THE LAWS. AS PRESIDENT TRUMAN SAID, THE BUCK STOPS HERE.

YOU ARE CORRECT, THEN, IF YOU THINK I WOULD PREFER THAT THE MEMBERS OF ALL BOARDS AND COMMISSIONS SERVE AT MY PLEASURE. THAT WAY I CAN BE SURE THAT THE POLICIES THAT I WAS ELECTED TO IMPLEMENT WILL BE CARRIED OUT, AND THE NEXT GOVERNOR WILL BE ABLE TO DO THE SAME.

HOWEVER, I AM WILLING TO LEAVE THIS IN THE HANDS OF THE LEGISLATURE. AMENDMENT NUMBER TWENTY SHOULD BE REPEALED. THIS WILL RETURN THE POWER TO THE LEGISLATURE TO DECIDE WHETHER THE MEMBERS OF A GIVEN BOARD SHOULD BE INDEPENDENT OR WHETHER

THEY SHOULD BE REQUIRED TO FOLLOW THE POLICIES OF THE ELECTED GOVERNOR.

A SIMILAR PROBLEM INVOLVES THE RESIDENT REPRESENTATIVE TO THE UNITED STATES. I HELD THAT OFFICE FOR THREE TERMS MYSELF, SO I HAVE A LOT OF RESPECT FOR IT. AS AN ELECTED OFFICIAL, THE RESIDENT REPRESENTATIVE MUST EXERCISE HIS OWN JUDGMENT AND SPEAK HIS OWN MIND. HOWEVER, DURING MY ENTIRE TIME IN THAT OFFICE, I NEVER TESTIFIED OR WROTE TO HIGH OFFICIALS IN OPPOSITION TO THE POLICIES OF THE ELECTED GOVERNOR. IN FACT, WHEN GOVERNOR PETE P. TENORIO CAME TO WASHINGTON, I DID NOT TESTIFY AT ALL.

80
NOW I SEE THAT SOMETHING DIFFERENT CAN HAPPEN. RIGHT NOW, THERE IS A SERIOUS POLICY DIFFERENCE BETWEEN THE ME AND THE CURRENT RESIDENT REPRESENTATIVE. HE BELIEVES WE SHOULD GET EVERY FEDERAL DOLLAR POSSIBLE, EVEN IF IT MEANS MORE FEDERAL CONTROL OVER LOCAL COMMONWEALTH ACTIVITIES. I BELIEVE WE SHOULD CONTROL OUR OWN ACTIVITIES, EVEN IF IT MEANS NOT TAKING FEDERAL FUNDS.

REGARDLESS OF WHICH POSITION YOU FAVOR, WE ARE CONFUSING THE CONGRESS AND THE FEDERAL EXECUTIVE BRANCH BY GIVING THEM TWO EXACTLY OPPOSITE COMMONWEALTH POLICIES. THIS ALLOWS FEDERAL OFFICIALS TO PLAY US OFF AGAINST EACH OTHER AND SAY THAT WE SUPPORT WHAT IS BEST FOR THEM INSTEAD OF WHAT IS BEST FOR US.

THE CNMI SHOULD SPEAK WITH ONLY ONE VOICE IN WASHINGTON. THERE SHOULD BE ONLY ONE COMMONWEALTH POLICY POSITION. BUT I CAN NO LONGER EXPECT AN ELECTED RESIDENT REPRESENTATIVE TO DEFER TO THE POLICIES OF THE ELECTED GOVERNOR. THEREFORE, TO ASSURE THAT CNMI POLICY CONSISTENCY IN WASHINGTON, I RECOMMEND THAT THE THIRD CONCON PROVIDE FOR THE RESIDENT REPRESENTATIVE TO BE APPOINTED BY THE GOVERNOR, AS PERMITTED BY SECTION 901 OF THE COVENANT.

IF THINGS ARE CONFUSING IN WASHINGTON, THEY ARE EVEN MORE CONFUSING HERE AT HOME. AMENDMENT 25 HAS PROBABLY CAUSED MORE PROBLEMS, MORE BITTERNESS, AND MORE CONFLICT THAN ANYTHING ELSE DONE BY THE SECOND CONCON. IT CERTAINLY IS CAUSING EXPENSIVE AND UNNECESSARY LAWSUITS, WHICH THE TAXPAYERS HAVE TO PAY FOR. THIS CAN ONLY BE SOLVED PERMANENTLY BY REPEALING AMENDMENT 25.

81
RIGHT NOW, IF YOU BELIEVE THE INTERPRETATION OF THE MAYOR OF ROTA, WE HAVE A GOVERNOR OF SAIPAN (THAT'S ME), A GOVERNOR OR ROTA (THE MAYOR), AND A GOVERNOR OF TINIAN (AGAIN, THE MAYOR). WE ALSO HAVE A MAYOR OF SAIPAN, WHO SHOULD BE THE MOST IMPORTANT MAYOR, BUT HAS LITTLE TO DO UNDER THE PRESENT CONSTITUTION. FINALLY, THERE IS THE NORTHERN ISLANDS MAYOR, BUT MORE ABOUT THAT LATER.

I CALL INSTEAD FOR A NEW FEDERALISM FOR THE COMMONWEALTH. I PROPOSE THAT WE HAVE REAL LOCAL GOVERNMENT FOR ROTA, AND TINIAN, AND SAIPAN. THE MAYORS AND MUNICIPAL COUNCILS SHOULD

RUN THEIR OWN SHOW. THE CONCON SHOULD REMOVE THE POWER OF THE GOVERNOR AND LEGISLATIVE DELEGATIONS TO ENACT LOCAL LAWS. INSTEAD THE FULL POWER OF LOCAL GOVERNMENT SHOULD GO TO THE MAYORS AND COUNCILS. THEY SHOULD BE ABLE TO PASS LOCAL LAWS OR ORDINANCES THAT AFFECT THEIR ISLANDS AS LONG AS THEY ARE CONSISTENT WITH GENERAL COMMONWEALTH LAW.

AS ALWAYS, ALONG WITH POWER COMES RESPONSIBILITY. IF THE PEOPLE OF AN ISLAND WANT A MUNICIPAL GOVERNMENT, THEY SHOULD PAY FOR IT LIKE EVERYWHERE ELSE. THE POWER TO IMPOSE LOCAL TAXES AND SPEND THE REVENUE THEY PRODUCE SHOULD BE RETAINED.

ON THE OTHER HAND, THE GOVERNOR AND THE CENTRAL GOVERNMENT DEPARTMENT HEADS NEED TO BE ABLE TO CARRY OUT THE LAWS OF THE COMMONWEALTH ON ALL OUR ISLANDS, NOT JUST ON SAIPAN.

FOR EXAMPLE, WE CANNOT ASSURE PROPER POLICE PROTECTION FOR THE RESIDENTS OF ROTA, IF WE ARE NOT ABLE TO APPOINT AND DIRECT THE RESIDENT DPS HEAD AND THE POLICE OFFICERS ON THAT ISLAND. DO YOU THINK THAT IN CALIFORNIA, FBI OFFICIALS REPORT TO THE GOVERNOR INSTEAD OF THE U.S. ATTORNEY GENERAL IN WASHINGTON?

THE SAME PRINCIPLES OF FEDERALISM SHOULD APPLY HERE. CENTRAL GOVERNMENT OFFICIALS SHOULD KEEP THEIR HANDS OUT OF MUNICIPAL AFFAIRS AND MUNICIPAL OFFICIALS SHOULD KEEP THEIR HANDS OFF OF CENTRAL GOVERNMENT PROGRAMS.

THE THIRD CONSTITUTIONAL CONVENTION SHOULD ADOPT LANGUAGE TO PROVIDE THE FRAMEWORK TO MAKE THIS HAPPEN AND LET THE LEGISLATURE FILL IN THE DETAILS BY LAW.

OH, BY THE WAY, IT IS TIME TO DO AWAY WITH THE NORTHERN ISLANDS MAYOR AND COUNCIL. THEY ARE COSTING NEARLY FIVE HUNDRED THOUSAND DOLLARS THIS YEAR. FOR NEXT YEAR, THE MAYOR HAS ASKED FOR SEVEN HUNDRED FIFTY THOUSAND. THEY HAVE TWENTY FULL TIME POSITIONS, WHICH IS MORE THAN THE ENTIRE POPULATION!

I RECOMMEND THAT THE NORTHERN ISLANDS BE INCLUDED IN THE MUNICIPALITY OF SAIPAN FOR THE FORESEEABLE FUTURE. PROVISION COULD BE MADE FOR A SEPARATE MUNICIPALITY IF THE POPULATION ACTUALLY RESIDENT IN THOSE ISLANDS EVER REACHES A MEANINGFUL NUMBER, SAY 500 OR A THOUSAND.

ANOTHER AREA WHERE THE SECOND CONCON MESSED UP IS EDUCATION, WHICH I AM SURE IS VERY IMPORTANT TO ALL OF YOU.

ALTHOUGH EDUCATION IS THE BIGGEST ITEM IN OUR OPERATING BUDGET, OUR PER PUPIL EXPENDITURE IS LOWER THAN ANY STATE. I WANT TO BUDGET A LOT MORE MONEY FOR EDUCATION. HOWEVER, YOU AND THE TAXPAYERS ARE ENTITLED TO SEE RESULTS FOR OUR MONEY.

I BELIEVE THAT OUR EXPERIMENT WITH SCHOOL BOARDS HAS BEEN A FAILURE. THE OLD APPOINTED BOARD DIDN'T WORK. NOW, AFTER NEARLY TEN YEARS UNDER AN ELECTED BOARD, OUR CHILDREN ARE STILL MANY SCHOOL YEARS BEHIND THE WORST OF THE UNITED STATES.

IT IS TIME FOR PERSONAL ACCOUNTABILITY. WE NEED TO RETURN ELEMENTARY AND SECONDARY EDUCATION TO THE RESPONSIBILITY OF A LINE DEPARTMENT OF EDUCATION UNDER THE GOVERNOR AND HOLD THE GOVERNOR RESPONSIBLE FOR ITS RESULTS. I WILL RECRUIT THE BEST SUPERINTENDENT OF EDUCATION I CAN FIND ANYWHERE IN THE WORLD, AND IF THAT PERSON DOESN'T DO A GOOD JOB, I WILL FIND AN EVEN BETTER ONE TO TAKE HIS OR HER PLACE. AT LEAST YOU AND YOUR PARENTS WILL HAVE ONE PERSON TO HOLD ACCOUNTABLE FOR THE SUCCESS OR FAILURE OF OUR PUBLIC SCHOOL SYSTEM.

THE THIRD CONCON SHOULD ABOLISH THE ELECTED SCHOOL BOARD AND EITHER PUT THE DEPARTMENT OF EDUCATION IN THE CONSTITUTION OR LEAVE IT TO THE LEGISLATURE TO DO THIS BY STATUTE.

THERE ARE A FEW OTHER AREAS THAN NEED FIXING. OUR SUPREME COURT SHOULD BE ELEVATED TO CONSTITUTIONAL STATUS, AND ITS MEMBERSHIP SHOULD BE INCREASED BY TWO JUSTICES, FOR A TOTAL OF FIVE. THIS SHOULD RELIEVE THE NEED FOR SPECIAL JUSTICES TO BE APPOINTED IN NEARLY ALL CASES.

ALSO, AMENDMENT 16, WHICH SET RESIDENCY AND DOMICILE REQUIREMENTS FOR APPOINTMENT AS ATTORNEY GENERAL, SHOULD BE REPEALED. WE SHOULD BE ABLE TO RECRUIT THE BEST TALENT FOR THE POSITION WHEREVER IT MAY BE FOUND.

FINALLY, WE HAVE GOT TO DO SOMETHING ABOUT THE BUDGET PROCESS. WE NOW HAVE OUR FIRST BUDGET IN THREE YEARS, AND WE JUST GOT THAT IN JANUARY, OVER THREE MONTHS INTO THE FISCAL YEAR.

I RECOMMEND AN ALTERNATIVE TO THE "CONTINUING RESOLUTION" APPROACH CURRENTLY IN THE CONSTITUTION. IF THE LEGISLATURE DOES NOT ENACT A BUDGET BY OCTOBER 1, THE GOVERNOR'S BUDGET SHOULD GO INTO EFFECT AS SUBMITTED, LESS ANY NEW TAX REVENUES RECOMMENDED BUT NOT ENACTED. IF THE LEGISLATURE LATER ENACTS A NEW BUDGET, THAT WOULD TAKE PRECEDENCE, BUT WOULD HAVE TO ACCOUNT FOR FUNDS ALREADY OBLIGATED.

AN ALTERNATIVE WOULD BE TO LEAVE THIS OUT COMPLETELY AND LET THE GOVERNMENT SHUT DOWN FOR A DAY OR TWO IN OCTOBER. IF THE LAW IS NOT ENOUGH TO GET THE LEGISLATURE TO PASS A WORKABLE BUDGET, I'LL BE THE PEOPLE CAN GET THEM TO ACT PRETTY QUICKLY.

THESE ARE SOME OF THE PRIORITIES THAT SHOULD BE CONSIDERED BY THE THIRD CONSTITUTIONAL CONVENTION, WITH REPEAL OF AMENDMENT 25 AT THE TOP OF THE LIST.

I CONGRATULATE ALL OF YOU STUDENTS ON YOUR PARTICIPATION IN CLOSE UP, AND I EXPECT THAT ONE DAY I WILL BE SHAKING THE HAND OF ONE OF YOU AS MY GOVERNOR.

THE FUTURE IS YOURS, AND IT STARTS NOW.
SI JU'US MA'ASE AND THANK YOU.