



Third Northern Mariana Islands Constitutional Convention

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Delegate Proposal No. 135

Date: May 15, 1995

It is proposed that a constitutional amendment be prepared that does the following:

Adds a new provision to the Constitution to allow for judicial advisory opinions.

Provides that when there is a dispute between the executive branch and the legislative branch, either side may make application to the Commonwealth Supreme Court for an advisory opinion. For this purpose, all boards and commissions are included in the executive branch. For this purpose, local governments are not included in either the legislative branch or the executive branch.

Provides that the Commonwealth Supreme Court may issue, but is not required to issue, an advisory opinion in response to an authorized application. The advisory opinion shall resolve the dispute, or a part of the dispute, submitted to the Court.

Provides that if the Commonwealth Supreme Court issues an advisory opinion, in response to an authorized application, it is binding. The issues decided may not be re-litigated by any government or private party.

Submitted by:

Herman T. Guerrero
Delegate HERMAN T. GUERRERO

CONSTITUTIONAL ARTICLE THAT WOULD BE AMENDED: Art. IV, adds a new Section 9

CONSTITUTIONAL ARTICLES THAT WOULD BE AFFECTED: None