

omm
10/17/97

November 1, Election Day, is rapidly approaching, but I've yet to see any description or discussion of the three constitutional amendments that will be on the ballot, and that we will be expected to vote on, on that day.

What makes that worrisome to me is that constitutional amendments are serious business, since they alter the shape of the "backbone," so to speak, that holds the CNMI together. And once the shape of that backbone is altered - once a constitutional amendment is passed - it has a tendency to stay that way.

Before that backbone is changed, people should be very clear on what is being changed, how it is being changed, and what the effect of that change will be, because that change will probably be around for a long time to come.

And here we are, being asked to make three changes to the CNMI Constitution - without any discussion or explanation at all!

The three changes: (1) to give the CNMI's judicial branch equal constitutional status with the legislative and executive branch; (2) to raise the legislature's budget ceiling; and (3) to allow certain professional categories of retirees to "double-dip" - to collect retirement pay while working for the government.

The first two amendments were proposed during the Third Constitutional Convention, so they did get a certain amount of coverage at that time. But that was more than two years ago. And the third one is new.

The proposal to legitimize the CNMI's judicial system is, I believe, non-controversial. What it does is update Article IV in the CNMI Constitution to reflect the establishment of the CNMI Supreme Court. It appears to have the support of the legal community and of members of the judicial branch.

It does have one interesting "wrinkle," in that it provides for a vote by the general public on whether a Superior Court Judge or Supreme Court Justices should be appointed for a second term. Even this provision, however, appears to have the support of both the legal community in general and the members of the judicial branch.

The proposal to increase the legislature's budget ceiling is, in my opinion, much more controversial. This was also proposed by the Third ConCon, but in conjunction with a proposal to cut the size of the House of Representatives from 18 members to 13 members. This time, the constitutional amendment does not include a provision to cut the number of members of the House.

It has long been said that for an entity as small as the CNMI, and with, relatively speaking, so few people, its government is far too large. That's particularly obvious

when one compares the number of people each member of our House of Representatives serves with the number of people other state representatives serve.

Though it would appear - judging from the governor's liberal expenditure of funds for everything from salaries for multiple "special advisers" to travel funds for members and staff of the U.S. Congress - that the CNMI does not suffer from a shortage of revenue, nevertheless, it doesn't make a lot of sense to be extravagant in the spending of that money. There are many other far more worthy causes on which it could be spent, such as infrastructure, education, and health care.

Supporting 18 members of the House of Representatives to serve an indigenous population of not more than 30,000 - and a total community of only 60,000 - is wasteful as it is. Giving those 18 members - plus the nine Senators - even more money to do that should not be tolerated, least of all as a constitutional amendment. If the Legislature feels it needs more funding, it should reduce its size, by cutting the number of members of the House of Representatives.

The CNMI cannot afford to cut the size of the Senate. Equal representation from all three islands is crucial to its political balance, and a total of only six Senators would be too few to be comfortable, or workable.

The third proposed amendment to the CNMI Constitution - allowing certain professional categories of retired persons - classroom teachers, doctors, nurses, and other medical professionals - to "double-dip" is new. It has not been proposed before. The intent of the amendment is to "help reduce reliance on nonresident labor to fill these positions."

add re signature change

add re rudy?

add re municipal council, bd of ed, non-political activity