

A HOUSE JOINT RESOLUTION

Approving a popular initiative petition proposing to amend Amendment 42 of the CNMI Constitution.

1 WHEREAS, Article XVIII, Section 4, of the Commonwealth
2 Constitution provides for the proposal of a constitutional
3 amendment by a popular initiative; and

4 WHEREAS, a popular initiative petition to amend
5 Amendment 42 of the CNMI Constitution has been duly filed
6 with the Attorney General and certified by him to have met
7 the requirements of Article XVIII, Section 4, Subsection (a),
8 of the CNMI Constitution (copy affixed as attachment "A");
9 and

10 WHEREAS, Article XVIII, Section 4, Subsection (b),
11 requires that the Attorney General submit a certified
12 initiative petition to each house of the legislature; and

13 WHEREAS, the Attorney General did submit the text of the
14 initiative petition and notice of the Attorney General's
15 certification of the initiative petition to each house of the
16 legislature on August 23, 1989 (copy affixed as attachment
17 "B"); and

18 WHEREAS, Article XVIII, Section 4, Subsection (b),
19 provides that the legislature may by affirmative vote of a
20 majority of the members of each house approve a proposal for
21 constitutional amendment by popular initiative, so that the
22 proposed amendment shall be submitted for ratification in
23 the same manner as an amendment proposed by legislative
24 initiative; now, therefore

25 //

26 //

27 //

1 BE IT RESOLVED, by the House of Representatives, Sixth
 2 Northern Marianas Commonwealth Legislature, the Senate
 3 concurring, that pursuant to the provisions of Article XVIII
 4 of the Commonwealth Constitution, we do hereby approve the
 5 proposal for amendment of Amendment 42 of the Constitution,
 6 which has been duly certified by the Attorney General and
 7 submitted to us; and

8 BE IT FURTHER RESOLVED that the Speaker of the House and
 9 the President of the Senate shall certify and the House Clerk
 6 and the Senate Legislative Secretary shall attest to the
 7 adoption of this House Joint Resolution and shall thereafter
 8 transmit certified copies to the Honorable Pedro P. Tenorio,
 9 Governor of the Commonwealth of the Northern Mariana Islands,
 10 to Mr. Edward Manibusan, Acting Attorney General of the
 11 Commonwealth, to Mr. Pete Reyes, Chairperson of the Board of
 12 Elections, and to the Right Reverend Tomas A. Camacho, Bishop
 13 of Chalan Kanoa.

Date: 8/29/89 Introduced by: David C. Sablan

Profiled 9-26-89

Benigno M. Sablan
 Rep. Benigno M. Sablan

Rep. David C. Sablan

Rep. William C. Ada

Rep. Gabriel B. Babauta

Rep. Mariano R. Bermudes

Rep. Antonio M. Camacho

Rep. Franklin T. Cabrera

Rep. Pedro R. Dl. Guerrero

Rep. Moses T. Fejeran

Rep. Juan S. Reyes

Rep. Gregorio B. Sablan

Rep. Manuel C. Sablan

Rep. Juan S. Torres

Rep. Vicente M. Sablan

Rep. Antonio O. Quitugua

Reviewed for legal sufficiency:

Maya B. Kara
 Maya B. Kara, House Counsel

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Date: 8/29/89 Introduced by: Benigno M. Sablan
Proposed 9-26-89
Benigno M. Sablan
 Rep. Benigno M. Sablan

David C. Sablan
 Rep. David C. Sablan
William C. Ada
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Gabriel B. Babauta
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Mariano R. Bermudes
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Antonio M. Camacho
 Rep. Antonio M. Camacho

Franklin T. Cabrera
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Pedro R. Dl. Guerrero
 Rep. Pedro R. Dl. Guerrero

Moses T. Fejeran
 Rep. Moses T. Fejeran

Juan S. Reyes
 Rep. Juan S. Reyes

Gregorio B. Sablan
 Rep. Gregorio B. Sablan

Manuel C. Sablan
Manuel C. Sablan
 Rep. Vicente M. Sablan

Juan S. Torres
 Rep. Juan S. Torres

Antonio O. Quitugua
 Rep. Antonio O. Quitugua

Reviewed for legal sufficiency: Maya B. Kara
 Maya B. Kara, House Counsel

ATTACHMENT "A"



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE ATTORNEY GENERAL
2ND FLOOR - ADMINISTRATION BLDG., CAPITOL HILL
SAIPAN, MP 96950

ALEXANDRO C. CASTRO
Attorney General
Tel: (670) 322-4311/4312
FACSIMILE: (670) 322-4320

JOHN F. BIEHL
Deputy Attorney General
Tel: (670) 234-7771/7111/6207
FACSIMILE: (670) 234-7016

August 23, 1989

COPY

Mr. Pete Reyes
Chairperson
Board of Elections
P. O. Box 470
Saipan, MP 96950

Re: NOTICE OF CERTIFICATION OF INITIATIVE PETITION

Dear Mr. Reyes:

On July 27, 1989 and August 21, 1989, the Office of the Attorney General received an Initiative Petition and accompanying signatures from Bishop Tomas A Camacho, Congressman Benigno Sablan and Congressman David C. Sablan.

The Initiative Petition states that it proposes amending Amendment 42 of the CNMI Constitution.


Pursuant to Article XVIII, Section 4, Subsection (a) of the CNMI Constitution, the Attorney General must certify that the Initiative Petition satisfies the requirements of this Article. I hereby certify that the Initiative Petition satisfies the requirements of Article XVIII, Section 4, Subsection (a) of the CNMI Constitution.

Accordingly, this proposed amendment should be submitted to the voters at the next regular general election scheduled to be held on Saturday, November 4, 1989.

On this date, I am also transmitting a copy of the text of the Initiative Petition and notice of the Attorney General's certification of the Initiative Petition to each house of the Legislature. The Legislature will have until September 3, 1989 to vote on the Initiative Petition.

Mr. Pete Reyes, Chairman
Board of Elections
August 23, 1989
Page 2 of 2

Dated this 23rd day of August, 1989, at Saipan, Commonwealth of the
Northern Mariana Islands.


EDWARD MANIBUSAN
Acting Attorney General

cc: Governor Pedro P. Tenorio
Bishop Tomas A. Camacho
Congressman Benigno Sablan
Congressman David C. Sablan
Senate President Benjamin T. Manglona
House Speaker Pedro R. Deleon Guerrero



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE ATTORNEY GENERAL
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August 23, 1989

Honorable Benjamin T. Manglona
Senate President
Sixth Northern Mariana Islands
Commonwealth Legislature
Saipan, MP 96950

and

Honorable Pedro P. Deleon Guererro
Speaker of the House
Sixth Northern Mariana Islands
Commonwealth Legislature
Saipan, MP 96950

Re: INITIATIVE PETITION PROPOSING AN AMENDMENT TO THE CNMI CONSTITUTION

Dear Mr. President and Mr. Speaker:

I am hereby submitting to each House of the Sixth Northern Mariana Islands Commonwealth Legislature an Initiative Petition that proposes to amend the CNMI Constitution. On this date I have determined that the Initiative Petition complies with Article XVIII, Section 4, Subsection (a) of the CNMI Constitution and have certified the Initiative Petition. I am enclosing a copy of the Notice of Certification and the text of the proposed amendment.

The proposed constitutional amendment shall be submitted to the voters for ratification at the next regular general election which is scheduled to occur on November 4, 1989. Pursuant to Article XVIII, Section 4, Subsection (b) of the CNMI Constitution, if a majority of the members of each house vote in favor of the proposed amendment by September 3, 1989 (60 days prior to the next regular general election) and transmit notice of such approval to the Board of Elections by September 3, 1989, the proposed amendment shall be submitted for ratification in the same manner as an amendment proposed by legislative initiative. As further provided in Article XVIII, an amendment proposed by legislative initiative shall become effective if approved by a majority of the votes cast. An amendment proposed by popular initiative shall become effective if

RECEIVED AUG 23 1989 *cu*

POPULAR INITIATIVE
PETITION

(Pursuant to Article XVIII Section 4 of the
Commonwealth Constitution)

WE, THE UNDERSIGNED, hereby PETITION with our signatures to amend Constitutional Amendment 43 of the Constitution of the Commonwealth of the Northern Mariana Islands as set forth below and to submit such amendment for ratification to the voters at the next regular general election:

THEREFORE WE, THE UNDERSIGNED, PETITION that the following Constitutional Amendment be placed on the ballot for ratification by the voters.

The full text of the proposed constitutional amendment is as follows:

Section 1. Gambling Prohibited. Gambling activities conducted as a business and the use of gambling devices are prohibited in the Commonwealth of the Northern Mariana Islands except for activities and related devices for the operation of Raffles, Bingo, Batu, and Cockfighting.

a. There shall be no importation of gambling devices into the territory of the CNMI after the effective date of this Amendment or after January 1, 1990, whichever is later.

b. All poker machines and other gambling devices shall be removed from the CNMI within thirty (30) days after the effective date of this Amendment or after January 1, 1990 whichever is later.

Section 2. Definitions.

a. "Gambling" means any activity whereby a person risks money or a thing of value on the outcome of something involving chance except for normal commercial activities where a thing of value is offered and obtained for equal consideration in every case. Gambling activity includes, but is not limited to, games of craps, keno, faro, monte, roulette, lansquenet, punchboard, rouge-et-noir, rondo, tan, fan-tan, stud-horse poker, seven-and-a-half, twenty-one, hokey-pokey, or any banking or percentage game played with cards, dice, or any device, any of which are played for money, checks, credit, or any thing of value.


b. "Gambling device" means any machine, electronic or mechanical device which awards prizes or a thing of value to the operator or player based upon the chance of matching or aligning of symbols, insignia, numbers, letters or the like. Gambling devices include, but are not limited to, slot machines, poker machines, roulette wheels, and keno. Gambling devices shall not include music machines, weighing machines, pinball machines, video games and machines which vend cigarettes, candy, ice cream, food, confections, gum, or other merchandise in consideration and from which in every case the customer obtains that which he purchases or something of value.

c. "Thing of value" means any money, coin, currency, check, chip, allowance, token, credit, merchandise, property, or anything representative of value other than an additional chance or right to use or play."

Hon. Benjamin Manglona
Hon. Pedro P. Deleon Guererro
August 23, 1989
Page 2 of 2

approved by a majority of the votes cast and atleast two-thirds of the votes cast in each of two senatorial districts.

Dated this 23rd day of August, 1989.


EDWARD MANIBUSAN
Acting Attorney General

Enclosure