

SPECIAL ISSUE ON CON-CON Constitution Presented To People

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Cisco Uludong
Editor

Saipan - A draft constitution for the new Commonwealth of the Northern Marianas has been approved in principle by the constitutional convention and is being presented to the people this week in public hearings throughout this newest American territory.

The proposed constitution has some novel features, but

it is, on the whole, a derivative of American political experiences and falls within the American constitutional framework.

The draft constitution, which is expected to take effect within the next two years after it is ratified by the Marianas people and approved by the U.S. government, reaffirms the Marianas' long-pursued desire for a permanent union with the United States while at the same time it attempts to

keep in local hands political control over internal affairs, leaving authority over all defense and foreign affairs to the U.S. government.

Related Articles

- *Land Alienation.....3
- *Deadlock Broken3
- *Populists Blast.....7
- *Carolínians Speak Out..7&9
- *Editorial.....8
- *Commonwealth: A Sham?....9
- *Draft Constitution...10&11

The 39-member convention which opened last month with strong references to a sort-of-Marianas nationalism, gradually discovered, to the chagrin of some of its somewhat radical members, that it really had no alternative but to produce a document the must comply with not only the commonwealth covenant but with the U.S. constitution and other federal laws as well.

con't on page 2

Marianas Variety News & Views

WEEKLY NEWSPAPER PUBLISHED ON SAIPAN M.I.

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People Want More Time to Review

M. Bentley
Staff Writer

Saipan - The major complaint heard by the Con-Con delegates during the first day of public hearings on the proposed constitution for the Northern Marianas is that the people have not been given enough time to look over the constitution before coming to the hearings.

The hearings, held at the Saipan Inter-Continental Inn, were scheduled for only two days and there were indications that they may not be extended as requested by those who testified Wednesday.

The Convention, which recessed Tuesday, began distributing the 51-page document to the general public on Tuesday evening.

In an accompanying open letter to the public, convention President Lorenzo I. Guerrero urged the people of Northern Marianas to express their views on the proposed constitutional provisions.

Many of those present Wednesday complained that they

were incapable of absorbing such a document, loaded with technical and legal language, within 36 hours and demanded extra time to study the draft constitution and receive legal opinions and interpretations from outside sources.

Among those who testified Wednesday was Joseph F. Screen, who spoke on behalf of the Saipan Chamber of Commerce. Screen said that the Chamber was "concerned of the dichotomy that exists between Saipan on the one hand and Rota and Tinian on the other. This draft constitution regrettably displays this dichotomy to the detriment of all the people of the Marianas." Screen testified that the constitution "deprives an overwhelming majority of the population simple constitutional rights to even amend the document."

Some of the major proposals put forth by the Chamber of Commerce included: the addition of a "grandfather clause" to protect personal rights in long terms leases already exist-

con't on page 18



Marianans had little time to digest the 51-page draft constitution distributed Tuesday for public hearing Wednesday and Thursday. Municipal Councilman Plasido Tagabuel returns to gallery after presenting his views to CON-CON delegates.

AirMike Resumes Full Service

Saipan --- Continental Air Micronesia announced here Wednesday that a full schedule of flights throughout Micronesia would be resumed effective Thursday, Nov. 18.

Gene Hassing, General Manager for the airline, stated that a back-to-work agreement has been reached with the striking Air Line Pilots Association, according to the press release. Hassing also said that most

of Continental Airlines' Mainland and Hawaii flights also would resume service Thursday.

Continental Air Micronesia has been operating a reduced flight schedule since the work stoppage began on October 23. Service within the Trust Territory continued even though no flights were operated on the Mainland. The pilots voluntarily continued to work as a service to the people of Micronesia.

PAC
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STACKS

Constitution...

con't from page 1

Moreover, the 'voluminous "Briefing Papers" by Wilmer, Cutler and Pickering, the Washington law firm which also previously represented the Marianas in its political status negotiations with the United States, pretty much told the convention what to do and what not to do. The firm also is providing consultants of the convention and they participate in all committee and plenary sessions, providing both solicited and unsolicited advice and answers to the delegates' vexing questions.

Hemmed in from the start by these built-in limitations and what many delegates and outside observers regard as undue control by the Office of Transition Studies and Planning of the convention's administration and funding, the convention has yet to really generate much enthusiasm outside of the Saipan Inter-Continental Inn where it is being held.

Within its walls, however, the convention has not been all that dull. Both plenary and committee-of-the-whole sessions have been characterized by heated exchanges and near fist fights among the delegates. At one point, in fact, the Rota and Tinian delegations threatened to walk out unless their demands for strong local governments were not met.

The start of the convention also was marked by well-orchestrated charges that the Territorial Party, which has the majority, was manipulating the convention to its political ends. Particularly objectionable to the Popular Party delegates was selection of officers and assignments of committees, which they claimed were made without regard to delegates' competence and experience.

Constitutional conventions usually propel certain individuals to prominence. This convention has yet to produce such an individual. However, Ben Fitia, a Carolinian and a member of the Territorial Party, is emerging, in the opinion of many, as one of the few with statesman's qualities. Under his leadership, the Committee on Finance and Local Governments has been able to hammer out compromises on thorny issues, which were acceptable to all factions within the convention. His eloquence on the floor of the convention has impressed many and his sense of humor has brought the house down on several occasions.

The proposed constitution contains a number of novel

provisions not found in other constitutions. The article on personal rights provides for more rights and liberties than found in a US-styled bill of rights; it includes rights to free education, privacy, and a clean and healthful environment. It prohibits wiretapping, capital punishment, and discrimination on the basis of sex. The constitution also establishes Managaha, located a few hundred feet off the Saipan shoreline, to be used only for cultural and recreational purposes.

The convention is now into the second half of its 50-day session and the document it has promulgated so far, while it has been approved in principle, still can undergo major surgeries before it finally is approved before December 6 when it adjourns sine die. The public hearings, which were scheduled for Wednesday and Thursday, provide the public's only opportunity for input. Already, there are indications some serious questions and objections have been raised. Below is a brief summary of some of the major issues.

1. Carolinian representation. While the Covenant and the proposed constitution's preamble recognize the principle of Carolinian representation in the government, the constitution still provides no Carolinian representation in either house of the legislature and makes no allowance for Carolinian participation in the executive branch.

2. Domination by Tinian and Rota in the legislature. For their small populations, these two islands are felt to be over-represented in the legislature, particularly

ly in the senate, where critical powers such as advice and consent for appointments are exercised.

3. Size of legislature. The Marianas has a population of some 14,500 and will have 39 legislators if the proposed constitution is approved. This is considered to be unreasonably high for such a small population.

4. Salaries of Legislators. \$12,000 is proposed for salaries of the legislators who will be full-time but who would be free to engage in outside business or employment.

This is again seen as too high, especially in view of the fact that the Marianas people will be paying it after the U.S. ends its financial help in seven years.

5. Executive Branch. There is fear that the insistence of Rota and Tinian for autonomous local governments will lead to separate executive branches of the Commonwealth government in these two islands.

6. Land alienation. While the Covenant left it up to the convention to impose restrictions on land acquisition by outsiders, the proposed constitution has provided for complicated and stringent requirements designed to keep outsiders from purchasing lands in the Marianas.

7. Right to bear arms. The proposed constitution prohibits infringement on an individual's right to bear arms. Many fear that such provision may lead to illegal use of arms.

8. Criminal prosecutions. The constitution makes it a right for the accused to have legal assistance in all cases. There is a concern that the government may be overburdened by this provision.

The draft constitution intentionally leaves out many things to be implemented by law later for fear that the U.S. Congress may not pass it if it becomes too detailed and complex.

And while the draft contains such new personal rights as the right to clean environment, it is silent on the question of the right to obtain proper medical treatment especially for the indigent.

All these and other issues are likely to be resolved one way or the other, because the convention and

most Marianas political leaders are determined to have a constitutional government as soon as possible.

Perhaps, the most controversial issue left to be resolved is the question of Carolinian representation in the new commonwealth government. The Carolinians, who make up over one-third of the population, feel that they must be represented in the legislature and that

they have an office in the executive branch to look after their interests. They argue that since both Tinian and Rota, whose combined population is still smaller than theirs, have been given equal say in the senate and fair representation in the house and allowed strong authority in their internal affairs, they (Carolinians) should be given the same recognition.

What will be done to satisfy the Carolinians remains to be seen in these remaining days of the convention. However, many delegates sympathize with the Carolinians and privately have expressed support for accommodating their concerns.

This and other issues are likely to be resolved one way or the other, because the convention and most local leaders are determined to have a constitutional government as soon as possible. Once the constitution is drafted and approved, joining the American political family for the Marianas will be only a matter of formality and time.

MESSAGE OF APPRECIATION



ON BEHALF OF MY FATHER, BROTHERS AND SISTERS, I WOULD LIKE TO EXTEND MY HEART-FELT THANK YOU AND "SI YUUS MAASE" FOR THE CONFIDENCE AND SUPPORT YOU GAVE ME DURING THE NOVEMBER 7 NORTHERN MARIANA LEGISLATURE ELECTION. AS YOUR NEW PUBLIC SERVANT, I'LL TRY MY VERY BEST TO SERVE YOU AND OUR ISLAND THE BEST I CAN.

**Senator-Elect
Vicente Santos Borja**

Land: Possible Future Controversy?

M. Bentley
Staff Writer

Saipan -- One of the biggest and most sensitive controversies of the Constitutional Convention (CON-CON), next to the local government issue, was the subject of land alienation. The draft Constitutional Article (XII) assures the people of the Northern Marianas retention of ownership of their most precious asset, land.

Land is considered to be of special importance in regards to both scarcity and in the preservation of their cultural heritage. Restricting land ownership to people of Northern Marianas descent is felt necessary to preserve and protect the character and strength of the Commonwealth. Article XII is intended to protect the people and their children from foreign exploitation and to promote economic advancement and self-sufficiency.

Who exactly can buy land in the Northern Marianas and who will be discriminated against? The answer can become quite complicated, depending upon how intricate a family's heritage may be. To buy land, once the constitution goes into effect, one must be of Northern Marianas descent; which is defined as being a U.S. citizen or national who is of at least 25% Northern Marianas Chamorro or 25% Northern Marianas Carolinian blood.

A full-blooded Chamorro or Carolinian is defined as being a person who was born in the Northern Marianas prior to 1950 or is a descendant of people living here before that year, and who was a Trust Territory (TT) citizen prior to termination of the Trusteeship in regards to the Commonwealth. Trust Territory citizenship began effectively sometime after 1951, so under this article, if you have domiciled in the Northern Mariana Islands for at least 25 years and have been a TT citizen, then you are considered to be full-blooded Chamorro or Carolinian, no matter what your prior heritage may have been.

The 25% blood-line restriction enables Chamorro and Carolinian blood to extend over three generations, which will cover the 25 years this article is intended to last. For example: If a 100% Carolinian woman marries a Ponapean (who obviously is 0% Northern Marianas Carolinian or Chamorro) their children will be 50%

Carolinian. The wife and children may buy land. The father may buy land only through his wife, and were she to die he will inherit her land. If these 50% Carolinian children marry another "foreigner" of 0% Carolinian or Chamorro blood, their children will still have 25% Carolinian blood and be able to buy land.

This article will not apply retroactively once the constitutional government takes over. In other words, land will not be taken away from people who already own land, but do not meet the descent requirements. It concerns only the acquisition of lands, not the holding of lands.

Such a stance of "pure protectionism" seems to result from extreme concern over exploitation by foreign investors, with particular fear of Japanese investors. Article XII of the constitution is intended as a safeguard, to allow the people of the Northern Marianas time to become sophisticated in land dealings, economic management, and government self-sufficiency.

Many feel the land alienation issue most likely will be contested and eventually brought before the Supreme Court. What are its constitutional precedents, if any, and will it hold up in court?

Race-specific legislation, such as this, will run into obvious constitutional difficulties, according to some legal authorities on Saipan. For such a discriminatory provision to be contained within the constitution and upheld by the Supreme Court, compelling state interest and need for the preservation of island lands must be proven, they say. These interests must overshadow the infringement upon other peoples' civil liberties, thus outweighing the obvious discrimination incurred.

The Supreme Court is known to almost always invalidate cases that are based on classifications of race, according to some legal authorities. It must be shown that this case is not really based on race; rather it is based on residence, they say. In order to be upheld the Supreme Court will have to view Micronesia as a unique setting with unique needs, and regard state interest to be compelling.

Several similar land

con't on page 18

Deadlock Broken

Abby Brown
Staff Writer

Saipan ---The divergence of views which reportedly almost deadlocked the constitutional convention last week was resolved in a series of weekend meetings by a special committee appointed by President Larry Guerrero to find a compromise. At issue was local government, specifically the insistence of Rota and Tinian that their islands get their fair share of public services under commonwealth government.

The compromise involves three points, which were to be incorporated as "Section 18: Public Services" of Article III, the Executive Branch.

The first point allows the governor to delegate to the mayor responsibility for executing commonwealth laws and administering public services on his island. The compromise was in using the word "may" instead of "shall." This enabled the preservation of a unified central government while giving Rota and Tinian the local control and involvement they feel essential.

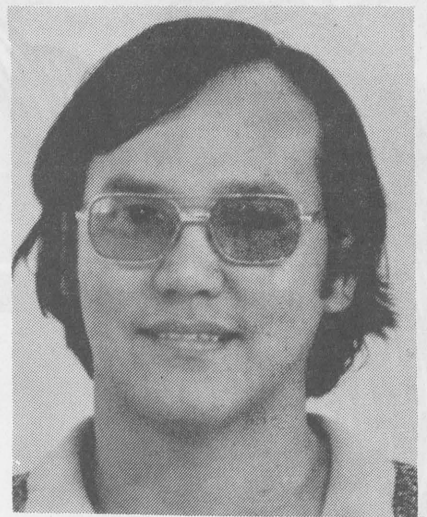
The second point gives

Rota and Tinian resident assistant directors in the executive departments which provide such services on each island. The assistants are to be appointed by the department head with the advice and consent of the island's legislators. This point will cost more money but Tinian and Rota considered it essential to prevent their being neglected by the central government as they feel they were in the past.

The third point of the compromise is a novel constitutional feature, according to one legal consultant, in that it gives Rota and Tinian constitutional basis for insisting on their share with the provision that "Public services authorized by law shall be provided on a fair and equitable basis to all the citizens of the commonwealth."

The committee members who reached the compromise that asserted the deadlock were: Ramon Villagomez, Jesus Villagomez, Olympio Borja, Juan Tenorio for Saipan; Benjamin Manglona and Pedro Atalig for Rota, and Jose Cruz for Tinian.

TO ALL MY
RELATIVES,
FRIENDS,
SUPPORTERS
AND THE
TERRITORIAL PARTY...



IN BEHALF OF MY FAMILY AND MYSELF, I WISH TO EXTEND MY MOST GRATEFUL APPRECIATION FOR YOUR VOTE OF CONFIDENCE AND FOR MAKING IT ALL POSSIBLE FOR ME TO SIT IN THE 5th NORTHERN MARIANA ISLANDS LEGISLATURE.

I WILL CHERISH YOUR THOUGHTFUL SUPPORT AND WISH TO BE A PRODUCTIVE PARTICIPANT IN OUR NEW GOVERNMENT AND IN OUR FUTURE DEVELOPMENT.

SI YUUS MAASE NI KONFIANSAN MIYO GIYA GUAHO PARA HU SETBE HAMYO TODOS.

SENATOR-ELECT

NORMAN TAKAI TENORIO

Territorials Win One More Seat

Mafnas Replaces Manuel Muna

Abby Brown
Staff Writer

SAIPAN----The Territorial Party eked out one more seat in the Northern Marianas Legislature last Friday when a Popular Party challenge failed to prevent the counting of 35 of the 40 protested ballots. The additional ballots gave Territorial Jesus P. Mafnas 23 more votes for a total of 2,046 just enough to bump Popular incumbent Manuel D. Muna whose final total was 2,040, from the last place of the Saipan's 16 seats.

Election Commissioner Erwin D. Canham certified the election results for Saipan, Tinian and the Northern Islands on Monday, November 16.

Rota's election results remain in question pending the outcome of a dispute over 18 still uncounted absentee ballots cast by Rotanese living on Guam.

At the moment, Territorials Benjamin Manglona (282 votes) and Julian Calvo (262) and Commonwealth '76 (Popular) Vicente Calvo

(261) hold Rota's three seats. But if the disputed ballots were counted, Territorial Marcelino Manglona (253) or Popular Cristobal Inos (244) possibly could replace Vicente Calvo for the third seat.

Ben Manglona last week filed an affidavit claiming that 23 ballots were cast by persons who are permanent residents of Guam and not eligible to vote on Rota. Five of the ballots were voided last Friday because

the accompanying affidavits did not have the required attestation.

The Popular Party has collected new affidavits from the other 18 voters on Guam, again affirming their eligibility to vote.

The matter needs further investigation, said Canham. The answer hinges on domicile (permanent legal residence). Domicile is always a tough question, turning on intent, said Canham. Intent is hard to determine, he added, although there are some objective criteria

which we can apply.

To make this determination the Attorney General's office, which is in charge of the investigation, will send a representative to Guam to interview the persons involved. Hopefully, a decision can be made by November 22, sources said. Meanwhile, the winners certified in Saipan's election are:

Populars Herman R. Guerrero, Vicente S. Borja, Olympio T. Borja, Jesus S. Guerrero, Herman Q. Guerrero, Jesus V. DL Guerrero, Pedro R. Guerrero, Vicente N. Santos, Juan DLG Cabrera, Francisco M. Diaz, and Joaquin P. Villanueva, and Territorials Oscar C. Rasa, Pedro P. Tenorio, Lorenzo I. Guerrero, Norman T. Tenorio, and Jesus V. Mafnas.

Tinian's certified winners are Herman M. Manglona and Jose R. Cruz, both Popular Party members.

Certified as the winner for the Northern Islands is Daniel Castro of the Popular Party.

CITICORP To Close Branch

Citicorp is closing its operations at the end of this month, according to its Manager John Sablan.

Sablan said his company is negotiating to sell its loan portfolios to one of the local banks and will be able to announce to their customers which bank to go to for payment of their loans.

Citicorp is a financial company owned by the First City Bank of New York.

Citicorp is the second lending institution to close job in the last two months. Chase Manhattan Bank closed its Saipan office last September after eight months of operations.

Saipan is now served by three banks, Bank of America Bank of Hawaii and California First Bank and the American Savings and Loan Association.

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MLSC to Open Office in Kusaie

Saipan - Micronesian Legal Services Corporation (MLSC) has announced plans to open a law office at Kusaie before the end of 1976.

Donald Woodworth, of Spokane, Washington, hired as directing attorney for the office, has arrived in the Trust Territory. Woodworth is a graduate of the University of Washington School of Law in Seattle. Prior to employment as a staff attorney for the Spokane Legal Center, Woodworth was engaged in private practice in Seattle.

Woodworth will be joined in Kusaie by

Ioanes Kanichy, who has worked as a counselor in MLSC's Ponape Office since its inception in 1971. Delson Ehmes, a Micronesian law student at the University of Papua New Guinea, will join Woodworth and Kanichy during his academic semester break.

"The opening of the Kusaie Office of MLSC is the response of MLSC's Board of Directors to repeated requests by the people of Kusaie for increase access to MLSC services," said Daniel E. MacMeekin, acting deputy director of MLSC.

Kusaie previously was served by MLSC attorneys and counselors working in the MLSC Ponape Office, but service was limited by field trip schedules and the demands of a heavy caseload at

MLSC Ponape, according to MacMeekin.

Office furniture, supplies, and law books already have been shipped to Kusaie and it is hoped that the office will be open to applicants for legal services by the time Kusaie becomes a separate district Jan. 1, 1977, MacMeekin said.

MLSC Kusaie, like other MLSC offices, will provide at no charge legal assistance in civil (non-criminal) matters to persons and groups who could not otherwise afford the services of a lawyer, MacMeekin stated.

Fentress Stricken at High Seas

Saipan - M/V Fentress enroute from Japan to Palau, has developed a leak in one of its holds, according to a spokesman of the TT Department of Transportation and Communication.

William Schmidt said the vessel, which was stricken Tuesday, "is in no danger of sinking and is expected to arrive in Palau Saturday morning."

Schmidt, shipping operations supervisor, said that there is about six feet of water in the third hold and ship's crew has been able to keep the water at that level with

pumps aboard the vessel.

Schmidt said neither the government nor the Saipan Shipping Company, which charters the vessel from the Trust Territory, know what caused the leak.

Fentress is reportedly carrying 900 pallets of cement for the Palau bridge, 246 of which are in the hold and presumed damaged by the water.

Schmidt said the government officials will be down in Palau with additional equipment to pump out the water from the vessel and perform temporary repair on the leak.

Florian Appointed SS Head

Saipan - Robert E. Florian, an administrator in the U.S. Social Security Agency in Honolulu, recently was appointed Social Security administrator for the Northern Marianas by Resident Commissioner Erwin D. Canham, according to a release from that office.

Florian who presently is assistant Pacific area manager for the U.S. Social Security Agency, is expected to arrive on Saipan soon so that he can assume his new post beginning Dec. 19, 1976, the release stated.

In his present job, Florian is responsible for the administration of Social Security programs in rural Hawaii, American Samoa and Guam, the release said.

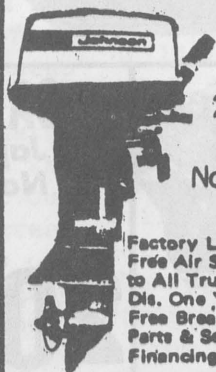
Notice

Notice to the heirs of Concepcion Cepeda Cruz, deceased.

The heirs of Concepcion Cepeda Cruz are hereby giving notice that the said Concepcion Cepeda Cruz has an inheritance from the late Juan M. Ada. Any heir of Concepcion Cepeda Cruz who claims to be entitled to the interest of her estate should advise the Administrator, Joseph C. Ada on or before December 16, 1976.

Joseph C. Ada
Administrator
Chalan Kanoa, Saipan

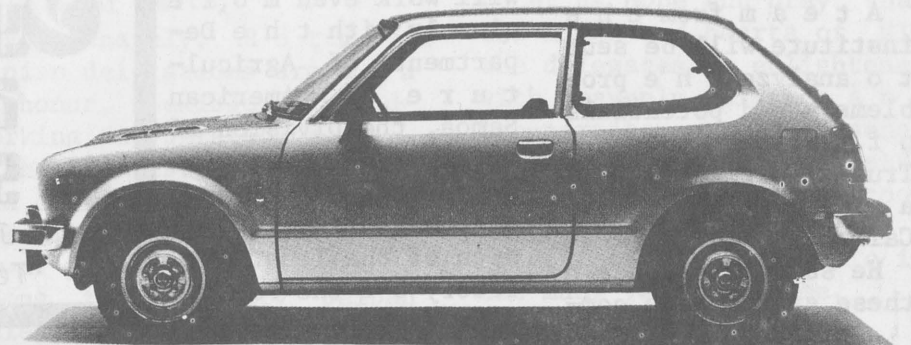
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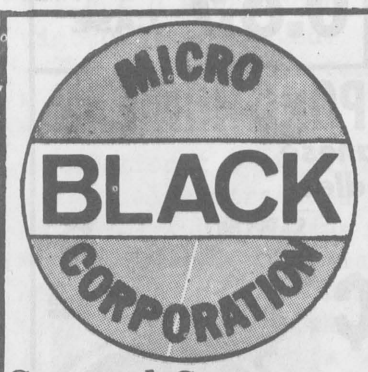
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U.S. Forest Service To Expand To TT

Honolulu -- The U.S. Forest Service has announced a major expansion in its programs for the Trust Territory and other Pacific American territories.

Dr. Robert Z. Callahan, Director of the Pacific Southwest Forest and Range Experiment Station in California, announced here this week that the proposed expansion of forest service programs will be carried out by the Institute of Pacific Islands Forestry in Honolulu under the direction of Robert E. Nelson, who has been in charge of research at the institute since 1959.

A team from the institute will be sent to analyze the problems and potentials of forestry in the Trust Territory, Guam and American Samoa, Callahan said.

He said that when these studies are com-

pleted, they will provide the base for development of long-range research and management programs in the territories.

Another major goal for the team, according to Callahan, will be to conduct experiments with different forest tree species and to make recommendations about the suitability of each for reforestation, watershed protection, or timber production, on various sites within the Pacific Basin.

"Now that we have strengthened and formalized our ties in the Pacific Basin," Callahan said, "we will work even more closely with the Department of Agriculture of American Samoa, the Division of Forestry of Guam, the University of Guam, and the Forestry Division of the Trust Territory of the Pacific Islands."

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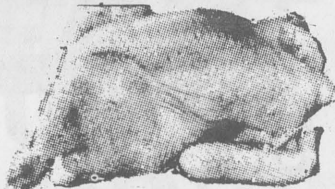


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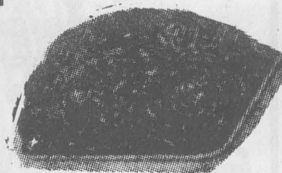
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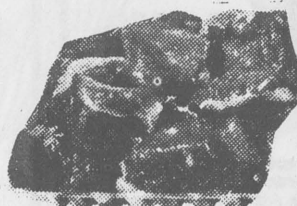
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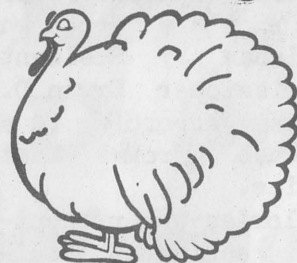
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Editor's Note: The Variety offered an opportunity to several key delegates to comment on the progress of the CON-CON, including: Dr. Francisco Palacios, Oscar Rasa, Ben Manglona of Rota, Ben Manglona of Tinian, Carlos Camacho, and Ben Fitia. At press time only the following were submitted:

"Territorials Made Too Many Promises"

Delegate Carlos Camacho
Chairman, Popular Party

The members of the Northern Marianas Popular Party were instrumental throughout the last two decades in their pursuit for a close political relationship with the United States of America.

The concept of a close union with the United States involved first with the reintegration with our brothers and sisters in Guam. This appeared at the time to be the most feasible and realistic in view of our proximity and that of our cultural and other similarities.

Through public referenda and adoption of other official legislative petitions and resolutions, the Popular Party membership was successful in letting the United States, the United Nations and the entire world know of our intention, our hope and desires for a close political affiliation with the United States.

Locally, we knew that the majority of our people were sympathetic and cognizant of this dream and desire. There were others both locally and in Guam who were not fully knowledgeable of the concept of reintegration. As a result, an identical plebiscite on the reintegration issue held in 1969 on Guam was defeated.

The final outcome of months of research, consultation, studies by local leaders resulted in a proposal for the Commonwealth Government for the Northern Marianas. The Popular Party membership felt this to be ideal, practical and feasible.

Furthermore, that it was felt that the commonwealth proposal would fully accommodate our people's desire for a closer ties with the United States and still provide for some degree of option in the event changes in the future were to be desired. It was then that the concept of a Commonwealth status was born and vigorously pursued.

The initial important step was the creation of the Marianas Political Status Commission to negotiate the political aspirations of our people. The Status Agreement, a product of years of negotiations, subsequently was approved overwhelmingly in a district-wide plebiscite held in 1975 throughout the Northern Mariana Islands but not without strong opposition.

The Covenant was then the subject of careful reviews by the United States Congress and once again it withstood a well-organized opposition. The Administration further reviewed the document and subsequently President Gerald R. Ford signed the Covenant on March 24, 1976.

The current Northern Marianas Constitutional Convention is another important step toward completing and achieving the dream and aspiration so long desired by our people in the fulfillment of their political destiny.

Until now, there remains opposition to the Covenant and the Commonwealth status. The opposition, however, have not been able to come up with an equivalent or better political alternative except to confuse the issue, create suspicion and finally maintain the status quo.

The Popular Party which represents the majority of the common people continues to pursue vigorously this objective, and with increasing popular support and approval from the population.

The progress of the current Constitutional Convention and subsequent accomplishment is consistent with the aspirations, desire, hope and dream of the majority of the people of the Northern Mariana Islands.

The delegates of the Popular Party, who constitute the minority, have tried to maintain so far an equilibrium and are attempting to safeguard the interest, desire and hope of the majority of the people.

The Constitutional Convention is far from completion, but we are satisfied and happy with the progress so far made.

We cannot, however, say that we are happy about the officials of the Con-Con and the way the majority manipulate the convention to ensure dominance.

It is obvious from the beginning that there is an attempt by the majority to utilize the convention toward advancing individual and Territorial Party delegates political aspirations and further to protect specific minority interests and not that of the majority of the people of the Northern Marianas.

From the outset it was obvious that delegates of the majority Party in the convention (From Saipan) made offers to Tinian and Rota

delegates far beyond their means to deliver.

This is obvious in that they were able at every level to elect Territorials and with no regard to capability and abilities of delegates from the minority group. They even amended many provisions of the rules of procedures to their objective.

As the convention progressed it became increasingly clear that the Saipan majority Territorial Party delegates will not be able to accommodate or comply with their previously made commitment to the satisfaction of Rota and Tinian delegations.

We can see and feel the disappointment, irritations, if not the frustrations, and breach of faith.

Fortunately, Rota and Tinian delegations are men of honor, flexible, hard-working and persistent.

The interesting aspect of the convention now is that there continue to exist power plays, the arrogance among the majority Saipan delegates and an attempt to

turn the convention into a political arena for the advancement of their own selfish personal ambition.

Hopefully, the majority Territorial delegates will wake up and face the fact that now they are representatives of all the people and not just for a few selected persons.

It should be noted that the final result of this constitutional convention will still have to be approved by three-fourths of all the delegates and thereafter the people.

It will be most unfortunate, sad, and a waste of time, money and energy if the constitution is not approved due to the shortsightedness and selfishness of some of the delegates.

Let us hope and pray that the minds and hearts of all the delegates be enlightened with heavenly guidance and non-partisan, non-personal interests so that a decent, equitable and practical constitution will emerge for benefit of all our people in the many years to come.

"DISCRIMINATION MUST END"

Ben Fitia
Delegate

All of the delegates to this Convention can take pride in our decision of the last few days. The geographical minority of our people, through their delegates, have expressed their concerns thoughtfully and persuasively.

The Convention responded by approving the recommendation of the President's Special Committee. Saipan joined with the outer Islands in guaranteeing Rota and Tinian substantial protections under the new Commonwealth government. To make that guarantee, the Saipan delegation made significant concessions to our colleagues from other islands.

I was pleased to support the Special Committee's compromise, because as a member of a minority myself I understand the concerns of those who fear the excesses of a majority.

It is for my minority--the 4,000 Carolinians in the Northern Mariana Islands--that I speak today. For too long, we have been victimized by discrimination--in jobs, in education, in access to positions of governmental power.

Just as there can be no place for regional prejudices in the new Commonwealth, the brutality of ethnic discrimination must cease. By degrading our Carolinian community, the majority has debased itself.

The majority has also deprived the Northern Marianas of the talents of 4,000 of its most productive and creative people. The new Commonwealth will be unable to afford this unthinking waste.

I therefore call upon my fellow delegates to extend the protection of the Constitution to their Carolinian neighbors. In the near future, I will offer several amendments to the constitutional provisions that we have tentatively adopted in principle.

These amendments will be designed to assure Carolinians of dignity, equal opportunity, and cultural integrity as we take our place in the new Commonwealth of the Northern Mariana Islands.

I urge today, as I shall urge on the remaining days of the Convention, we purge ourselves of the ethnic discrimination that has tainted our political, social, and economic affairs.

Marianas Variety

News & Views

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CON - CON

The Northern Marianas Constitutional Convention has produced and approved in principle a document which, if ratified by the people and approved by the U.S. Congress, a likely prospect, will govern these islands for years if not generations before it is changed in any substantial way.

Although one might have expected a more original document befitting the special circumstances of small island societies, this is impossible as the delegates found out when they sat down to draft the constitution. They are mandated to work within "guidelines" set out in the Covenant and as noted elsewhere in this special issue on the convention, the tentative constitution falls within the American constitutional framework.

The constitution, still in its draft form, is being presented this week for public scrutiny and will undoubtedly undergo many changes before it is finally approved by the convention. But already there are two discernible features of the tentative constitution which, regretfully, may never be changed because of local politics and habits.

The first feature is the size of the governmental structure being proposed in the constitution. The constitution proposes a rather huge governmental structure, complete with a two-house legislative body, and executive branch envisioned to be composed of up to 15 separate departmental functions in addition to a local government system in Tinian and Rota with similar if not identical functions and a possibly multi-divisional judicial system. The proposed structure rivals those in much bigger states or nations. Not only will it be unwieldy but much more expensive than what is being imagined by its framers.

The second feature is also related to the size of the government structure. This is the notion of politics as a profession, a career. One cannot avoid the feeling that many of the elective and appointive offices which will be created under the new constitution are meant to provide a way of life for many of our local leaders. For such a small place to have too many people involved in politicking rather than in economically productive endeavors will be detrimental, in the long run, to the well-being of the commonwealth.

As pointed out earlier, the constitutional framers cannot be faulted, for these are habits which have become ingrained in the minds of Micronesians. One has only to look around to find an over-bureaucratic Trust Territory government and the many levels of elected and appointed officials throughout the Trust Territory. However, one wishes that the Marianas could come up with a more manageable and effective governmental system.

Also pointed out in this special issue are other major issues which the convention must come to grips with before approving the constitution. These issues include, among others, the salary levels of elected and appointed officials, land alienation, and personal rights. There will be pro and con arguments on whether to change them from the way they have been promulgated and the convention in the end must decide. We can only hope that its decisions on some of these issues will be based less on political expediency and more on the well-being of the commonwealth, especially in the long run.

The draft constitution already has some good provisions and for them the delegates deserve to be commended. But the Marianas founding fathers must work hard to make a more perfect constitution in the remaining days of the convention. To do this, however, demands far more public dialogue and input into the draft constitution. The two days which the public has been given to look over the draft constitution is obviously too short a time for meaningful public involvement in this important and historic task.

The people should truly be involved or otherwise this appearance of public participation will come to haunt the founding fathers some day. Democracy requires that the people be given more than two days to look at this thing that will govern their lives for generations.

What THEY Say

By: B.B.

Every once in a while, we see university students and professors poking around the islands. These people are not tourists. They are not businessmen. They are not missionaries. What are they? According to my friend Joel, they are thieves. He described them as "refined robbers" whose academic credentials mask the thievery they perpetrate on the people and islands of Micronesia.

"Joel, what have you got against these people?", I asked my angry friend.

"I am against burglary and therefore I am against these people", he replied.

"But who are these people? Can you describe them more fully?", I asked.

"Well, according to their papers, most of them are students of one thing or another. Some claim to be doctors of this and that. But, apparently they don't know a lot and that is why they come out here. Of course, they don't admit that; they always say that they are "doing research" on something they claim to be the missing link between this knowledge and that knowledge", Joel said.

"Why do you say they are thieves?", I asked.

"Mr. BB, sometimes you exasperate me with your stupid questions. Look, a thief is someone who takes somebody else's property without compensating the person for his loss. These so-called "researchers" come to the islands and take knowledge from the people, but they don't pay the natives for what they receive. Therefore, the researchers who come to Micronesia can legitimately be called thieves just as we would call a person who robs a bank a thief", Joel explained.

"But the researchers' works are important. They contribute a great deal to our knowledge about the human race", I told Joel.

"I didn't say that their work is unimportant. All I ask is that the researchers, anthropologists, biologists, etc., pay the natives for what they receive from them," he said.

"How would that work?", I asked.

"Well, let's say Professor Snootnose would like to study my ancestry. He comes to my house (uninvited of course) and says to me: "Joel, I have a taperecorder here and I would like you to tell me everything you know about your great, great, great grandfather Timang." I will tell him this: "Professor Snootnose, I will gladly tell you what you want to know provided you will gladly give me \$100.00 in advance".

"But most of these researchers are poor folks. They need to talk to a lot of people, and at your price, Professor Snootnose and his fellow noses will soon be in the poor house", I protested.

"That's their problem, not mine", Joel said.

"I am sure many people would like to contribute to the growth of human knowledge. And I'm sure they will cooperate with the university noses when they visit their places", I told Joel.

"I already have a plan to protect the innocent blabbers from the learned noses", Joel disclosed.

"What is your plan?", I asked with considerable interest.

"I have drawn up a bill levying a \$500 tax on researchers and their kinds. The bill will be introduced in all the legislatures in the Trust Territory. At the moment, I expect the Northern Marianas to receive about \$5,000 a year if the local legislature passes my bill", he explained.

"I don't know what to say. But I think something is wrong somewhere", I told my friend.

"Yes, something is definitely wrong. Something is wrong when some university awards a doctorate degree to Snootnose for something he took from me. Why don't they simply award me that degree and eliminate middleman Snootnose?", Joel asked the tangantangan trees in his backyard.

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Marianas Variety

News & Views

LETTERS TO THE EDITOR

Dear Editor:

I hope you can publish the following letter which I sent to the Marianas Constitutional Convention:

Dear Mr. President:

As a citizen of the Northern Marianas, I am most pleased that the Constitutional Convention, under your able leadership, appears to have overcome many if not all the problems with which it was initially confronted and is now headed toward successful completion of its historic task of drafting a constitution for our islands.

The Convention should especially be commended for recognizing and appreciating concerns of our fellow citizens in Rota and Tinian. By providing for their equal representation in the commonwealth legislature and permitting them adequate executive control over their internal affairs the convention has, I am confident, insured harmonious relationships among our people, but importantly has guaranteed that never again will our fellow brethren and sisters in these two islands be subject to neglect by the government in the future.

It is in this spirit of accommodation and recognition of special concerns and interests by the constitutional convention that I am writing to you and the honorable members of the convention to consider the unique situation of the Carolinian community. If I am not mistaken, there is no provision in the constitution, as tentatively approved, that insures fair representation of the Carolinian community in the legislature commensurate with its numerical proportion to the entire population; neither is there any provision that guarantees that the Carolinian share adequately in the executive power of the government.

While the proposed constitution prohibits, in the language itself and by implication, discrimination against any person on account of race, color and ancestry, discrimination against the Carolinian minority can continue, as today,

A PERSONAL VIEW:

Commonwealth: A Sham Of Squabbling Units?

M. Bentley
Staff Writer

Saipan - What precisely is this Commonwealth that the Northern Marianas Con-Con is creating through the covenant and the constitution?

Is it a federation of islands working together for the common welfare of all, or is it merely an institution designed to sort out the needs and demands of these island municipalities? Is it to be weak or is it to be strong? Is it simply a camouflage for the old style of government; a sham of squabbling municipalities, each out for their own good?

Or will this Commonwealth be a government that works for all the people of the Northern Marianas as a whole?

Hopefully, the Con-Con will create institutions such as the latter.

It is obvious to even the most casual of observers, that to a great extent Rota and Tinian have so far been

able to achieve special recognition of their own demands. These demands reflect back to Trust Territory days when there was in existence a different government, in which perhaps some inequities and injustices occurred.

This will all be changed with the new Commonwealth. The three currently-chartered island municipalities will have equal representation in the Upper House. According to their current plans, popularly elected representatives will have access to the government with strong representation in both the Executive and Legislative branches. Worries over differences should not take precedence over future unity.

The Commonwealth needs a strong central government that will enlarge individual responsibilities, increase effectiveness, decrease the expense of duplicating powers, increase expertise, and lessen bureaucratic

to exist because there is no office in the executive branch that is charged with the function and responsibility of insuring that the Carolinian minority is accorded similar if not equal privileges and opportunities provided to the majority population by the government.

It may be argued that the Carolinian minority can find legal avenues in the U. S. Constitution, federal statutes and in the Bill of Rights in the proposed constitution with which to promote and protect its interests. This may be true in theory but in many instances the law is overlooked and in some cases is deliberately not enforced when it is not politically expedient or against the interest of those who are charged with enforcing it.

It may be of interest to you to know that the US District in Alabama recently abolished the municipal government in Mobile, Alabama because it did not provide for adequate representation of the black minority in that community. The court further ordered the Mobile community to come up with a governmental system which gives the blacks equitable say in the government.

This is the first opportunity that we have in fashioning our system of government that can be fair and representative of our unique circumstances. If we recognized and accommodated some of these unique characteristics but ignored others in this basic document now, we would leave open the future to possible interference by the federal government to set things right, a prospect that I think none among us would like to see.

I am, therefore, respectfully requesting that the constitutional convention consider the special situation of the Carolinian community and insure that they are represented fairly in the legislature and that they have an office in the executive branch that promotes and protects their interests and insures that they are given a chance to equal opportunities in jobs and other programs provided by the government and the private sector.

Sincerely,

Felicidad T. Ogumoro

red tape. Rather than complain of the cost of high salaries to be paid to legislators, why not simply decrease the number of legislators and increase their individual responsibilities and authorities.

A full-time legislator at a good salary will not have to diversify his interests by taking on other jobs. He will be more directly responsible to his constituents and the lines of authority to the Legislature will thus be strengthened. His efforts will not be consistently duplicated by other public officials. Obviously, the smaller the bureaucratic machinery, the easier it becomes to check and balance power and create a more

effective and responsible government. Haven't we had enough of large government bureaucracy?

It is time to start thinking about being a Commonwealth; not a federation of disparate island municipalities. Thinking must be forward-looking, not enmeshed in past inequities. And most of all, our Con-Con delegates must be trusting and subscribe faith and confidence in the institution they are creating. Perhaps they should reflect back on the ideals and strengths of the constitutional forefathers of the nation to which they are joining.

**Ms. Bentley is a
Variety Staff Writer**

Marianas Variety welcomes letters to the Editor on any topic of public interest. Letters must be signed in full name and address of the writer.

SUMMARY OF DRAFT

On the following pages, the Marianas Variety presents a summary of the 50-page draft constitution which in principle passed First Reading at the Northern Marianas Constitutional Convention. Before the draft constitution finally is adopted, it must undergo several more steps, including: (1) public review, through hearings going on this week; (2) approval, article by article, on Second and Final Reading by the convention; (3) referral to the Committee on Organization and Procedures for incorporation into a final draft form; and finally (4) adoption of the complete document by affirmative vote of at least three quarters of the delegates. Undoubtedly, the present draft, summarized below, will not get through all these steps unchanged.

We, the people of the Northern Mariana Islands, ordain and establish this Constitution for our Commonwealth and reaffirm our respect for the Constitution of the United States of America. We declare our goal of establishing a government in political union with the United States that preserves our personal liberty and social equality, our Chamorro and Carolinian heritage, our land and its resources, and our culture, history and traditions.

ARTICLE I: Personal Rights. The Bill of Rights:

1. Prohibits bills of attainder, ex post facto laws, or laws impairing the obligation of contracts.
2. Guarantees freedom of religion, speech, press and assembly.
3. Prohibits unreasonable search and seizure. Regulates the use of warrants, including the requirement of a warrant for wiretapping or other surveillance.
4. States the rights of the accused in all criminal prosecutions, including the rights to counsel, to confront opposing witnesses to compel testimony from favorable witnesses, and to have a speedy and public trial. Provides protection for juveniles in criminal proceedings. Prohibits self-incrimination, double jeopardy, excessive bail or fines, cruel and unusual punishment and capital punishment.
5. Guarantees due process of law.
6. Guarantees equal protection of the laws and prohibits discrimination on account of race, color, religion, ancestry or sex.
7. Guarantees the right to keep and bear arms.
8. Prohibits involuntary quartering of soldiers in peacetime and allows it in time of war only by law.
9. Allows legislature to provide for trial by jury for serious criminal and civil cases.
10. Guarantees free public education.
11. Guarantees the right to a clean and healthful environment.
12. Guarantees the right to privacy except upon a showing of compelling government interest.

ARTICLE II: Legislative Branch

Legislative power will be vested in a bicameral legislature: a Senate with 3 members each from Saipan, Tinian and Rota, and a House of Representatives with 30 members, 25 from Saipan and the Northern Islands, three from Rota and two from Tinian. The house membership, based on a one-person-one-vote doctrine, must be reapportioned every 10 years.

Among other qualifications, a senator must be a U.S. citizen or national, at least 25 years old and a commonwealth resident for at least 5 years before the election. Representatives need only be 21 years old and reside in the commonwealth for 3 years before the election.

Appropriations bills may only be introduced in the house. To be enacted, a bill must receive a majority of the votes cast in each house.

Bills enacted by the legislature may be vetoed by the governor. Appropriations bills may be item-vetoed. From the day he receives them, the governor has 20 days to veto appropriations bills and 40 days to veto all other bills. The legislature can override a veto by a two-thirds vote of the members of each house.

The legislature or a majority of the members from any municipality may enact local ordinances for that municipality.

The legislature has the power of impeachment and can impeach the governor and other executive and judicial officials charged with impeachable offenses.

Each legislator will receive an annual salary of \$12,000. The legislators' salaries may be increased no more than every 4 years. An advisory commission, to be created by law, will study and recommend salary levels for legislators and other commonwealth officials.

Legislators are prohibited from holding any position on boards or agencies created by the legislature. Legislators have immunity from being questioned for statements made in the legislature. They are also immune from arrest while going to or from official meetings.

The legislature will be a full-time body. Vacancies in the legislature are to be filled by special election or, if less than half the term remains, by gubernatorial appointment.

ARTICLE III: Executive Branch

The executive branch will be headed by a governor and lieutenant governor to be elected jointly, at large, for no more than three four-year terms. The governor and lieutenant governor must be U.S. citizens or nationals at least 30 years old, and commonwealth residents for at least 7 years right before the election. The annual salaries of \$25,000 for governor and \$22,000 for lieutenant governor may not be increased or decreased during their terms. If the office of governor is vacant, the lieutenant governor will become governor; if both top spots are vacant, the senate president will become acting governor until elections are held.

The governor will submit to the legislature a proposed budget. The governor's budget report will explain his disposition of budgetary requests from each mayor. The governor may not reprogram funds appropriated by the legislature. The

governor shall make an annual report with recommendations to the legislature on commonwealth affairs. The governor has the power of pardon, except for impeachments, and the power to declare a state of emergency in certain cases.

The governor shall appoint an attorney general and a public auditor with the advice and consent of the senate. The public auditor may be removed only for cause and with the concurrence of 2/3 of the legislators.

A department of education will be headed by a superintendent of education who will be appointed by a board of education appointed by the governor.

The governor, subject to the advice and consent of the senate, will appoint his department heads and he may remove them.

Executive offices and functions will be allocated by law among not more than 15 principal departments. The legislature—or the governor by executive order which later must be approved by the legislature—may make changes in the structure and function of departments and agencies.

A civil service commission shall be established by the legislature to oversee a merit system for personnel of the executive and judicial branches.

The governor may delegate to each mayor certain responsibilities for executing the laws and administering public services. Public services on Rota and Tinian will be supervised by a resident assistant director in the departments providing such services. The assistant will be appointed by the department head with the advice and consent of Rota's or Tinian's legislators. Public services are to be provided on a fair and equitable basis to all citizens of the commonwealth.

ARTICLE IV: The Judicial Branch

Judicial power shall be vested in a judiciary which for the first five years will have a trial court. The trial court will have jurisdiction in land and other civil cases involving values up to \$5,000, and in criminal matters for which the fine would not exceed \$5,000 or 5 years in jail. Rota and Tinian each will have one full-time trial court judge. Land matters will be handled by a specialized decision of the court for at least five years; after that the legislature may give the trial court additional civil and criminal jurisdiction.

After five years, the legislature may set up an appeals court to hear appeals from the trial court.

The U.S. District Court for the Marianas shall have trial and appellate jurisdiction in all civil and criminal cases not vested in the commonwealth courts.

The governor shall appoint judges to 6-year terms. Judges must be at least 30 years old and U.S. citizens or nationals. The legislature shall set judges' salaries, which may not be decreased during their terms. Judges are subject to impeachment. Judges may not hold other government positions, practice law, financially support or hold office in political parties, participate in political campaigns or run for elective office.

The judiciary may make rules, subject to later approval of the legislature, governing administrative matters of the judiciary.

ARTICLE V: Washington Representative

Commonwealth interests will be represented in the U.S. by representative elected to a two-year term (renewable to four years by popular initiative). The representative must be a U.S. citizen, at least 30 years old, and a commonwealth resident for 7 years before his election. The legislature shall set the representative's salary and expense allowance.

The representative shall submit an annual report summarizing his official activities on behalf of the commonwealth.

A vacancy in the position shall be filled by gubernatorial appointment (with senate advice and consent) or, if more than half the term remains, by special election.

ARTICLE VI: Local Government

Local government is established, with a mayor elected by and for each island or group of islands.

Among other qualifications, the mayor must be a U.S. citizen, at least 25 years old, and a three years' resident of the commonwealth. His term is 4 years. His salary will be set by law but may not be reduced during his term. The mayor will be paid from commonwealth revenues; his assistants will be paid from local taxes designated by law and specifically authorized by the legislature or a majority of the representatives and senators of his island.

The mayor will serve on a governor's advisory council of mayors to advise on local matters; review and submit recommendations to the governor about the adequacy of governmental services and appropriations; investigate complaints on local matters and submit findings and recommendations to the governor and other agencies; propose items for inclusion in the annual budget, review and recommend amendments to the budget before the governor submits it to the legislature (budget proposals made by the mayor may only be rejected

for good cause); regulate local matters in accordance with law; expend revenues raised by local taxes designated by law for such purposes; and appoint and supervise employees provided by law to assist him.

The present chartered municipality form of local government will cease, but local taxes and local ordinances will remain in effect until otherwise provided by the legislature. No additional agency of local government is to be established for at least 5 years, after which the legislature may establish new or revised local government agencies. But no more than one agency of local government is permitted for each island or island group. And any new agency of local government must have the approval of two thirds of the qualified voters of the island concerned.

ARTICLE VII: Eligibility to Vote

Among other requirements, a voter must be at least 18 years old, domiciled in the Commonwealth, a commonwealth resident as provided by law, and a U.S. citizen or national, unless the legislature requires U.S. citizenship. Literacy as a qualification is prohibited.

The legislature is to provide criteria for determining domicile and residency.

ARTICLE VIII: Elections

Elections for governor, lieutenant governor, legislators and Washington Representative shall be held on the first Sunday of November. Other elections shall be held as provided by law.

The legislature shall provide for voter registration, nomination of candidates, absentee voting, and all other matters of election procedures and administration.

ARTICLE IX: Initiative, Referendum and Recall

The people may enact laws by initiative by filing a properly executed petition signed by 20% of the total number of qualified voters of the municipality for local laws, or, for commonwealth laws, by 20% of the total number of qualified voters in each of two municipalities.

The attorney general will certify the initiative petition and submit it to the voters at the next general election. The petition must have been filed with the Attorney General at least 180 days before the election.

For local law, the petition must be approved by 2/3 of the registered voters of the municipality. For commonwealth laws, 2/3 of the registered voters of the commonwealth must approve. Such laws, once approved, will take effect 30 days after the election.

The people may reject an act of the legislature by referendum by filing a similar petition signed by 20% of the total number of qualified commonwealth voters. The attorney general will certify the petition and submit it to voters at the next general election. The petition must be approved by a majority of the votes cast. If approved, repeal of the law will be effective 30 days after the election date.

All elected officials are subject to recall by the voters of the commonwealth or by the political subdivision from which the officials were elected. A recall petition stating the grounds for recall must be signed by a number of qualified voters equal to at least 40% of the persons who were to vote for that official. As with the initiative petition, the recall petition is certified by the Attorney General and placed on the ballot for the next regular general election. The recall petition must be approved by a majority of the votes cast. Recall petitions cannot be filed against an official more than once a year and not during his first six months in office.

ARTICLE X: Taxation and Finance

Taxes can be levied and appropriations made only for public purposes.

Every five years the governor shall give the legislature a report assessing the social, fiscal and economic impact of any tax exemptions established by law. The report shall include the governor's recommendations on exemption policy or laws.

Commonwealth debt is limited to not more than 10% of the aggregate assessed valuation of real property within the Northern Marianas. Borrowing for the regular operating expenses of the commonwealth government or its political subdivisions is prohibited. Any public debt must be authorized by 2/3 of the members of each house of the legislature.

ARTICLE XI: Public Lands

Public lands, except for submerged lands, will be the responsibility of the Marianas Public Land Corporation which shall be the legal entity set up by Secretarial Order 2969. Submerged land will be regulated by law.

The corporation will have nine directors to be appointed by the governor with the advice and consent of the Senate to six-year terms (except the first board members, whose terms will vary). Of the nine, two will be Saipan residents, two from Rota and two from Tinian; one will be of Carolinian descent, and one will be a resident of the Northern Islands. Among other qualifications, the directors must be U.S. citizens or nationals, commonwealth residents for at least 5 years, must speak Chamorro or Carolinian and must be of Marianas descent.

The directors shall publish an annual report to public on public land management, including any transfers of public land.

The interest of each of the directors in any commonwealth land also shall be published.

After 10 years, the corporation may be dissolved by an affirmative vote of 2/3 of the members of each house of the legislature.

Fundamental policies of the corporation will include the establishment of a homestead program for agricultural and village homesteads. Titles to homesteads may not be granted for five years, and transfer of a homestead may not be made for ten years after receipt of the homestead, except for persons who already have resided on the land for at least 20 years before the effective date of the constitution.

Except for the homestead program, titles to public lands may not be transferred for ten years from the date of the constitution. Leases may not exceed 25 years, including all renewal rights. A majority vote by senate members is necessary for the transfer of any interest in more than 5 hectares of land to any person or legal entity for commercial purposes. The corporation may not transfer any inte-

OF DRAFT CONSTITUTION

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The attorney general will certify the initiative petition and submit it to the voters at the next general election. The petition must have been filed with the Attorney General at least 180 days before the election.

For local law, the petition must be approved by 2/3 of the registered voters of the municipality. For commonwealth laws, 2/3 of the registered voters of the commonwealth must approve. Such laws, once approved, will take effect 30 days after the election.

The people may reject an act of the legislature by referendum by filing a similar petition signed by 20% of the total number of qualified commonwealth voters. The attorney general will certify the petition and submit it to voters at the next general election. The petition must be approved by a majority of the votes cast. If approved, repeal of the law will be effective 30 days after the election date.

All elected officials are subject to recall by the voters of the commonwealth or by the political subdivision from which the officials were elected. A recall petition stating the grounds for recall must be signed by a number of qualified voters equal to at least 40% of the persons who were to vote for that official. As with the initiative petition, the recall petition is certified by the Attorney General and placed on the ballot for the next regular general election. The recall petition must be approved by a majority of the votes cast. Recall petitions cannot be filed against an official more than once a year and not during his first six months in office.

ARTICLE X: Taxation and Finance

Taxes can be levied and appropriations made only for public purposes.

Every five years the governor shall give the legislature a report assessing the social, fiscal and economic impact of any tax exemptions established by law. The report shall include the governor's recommendations on exemption policy or laws.

Commonwealth debt is limited to not more than 10% of the aggregate assessed valuation of real property within the Northern Marianas. Borrowing for the regular operating expenses of the commonwealth government or its political subdivisions is prohibited. Any public debt must be authorized by 2/3 of the members of each house of the legislature.

ARTICLE XI: Public Lands

Public lands, except for submerged lands, will be the responsibility of the Marianas Public Land Corporation which shall be the legal entity set up by Secretarial Order 2969. Submerged land will be regulated by law.

The corporation will have nine directors to be appointed by the governor with the advice and consent of the Senate to six-year terms (except the first board members, whose terms will vary. Of the nine, two will be Saipan residents, two from Rota and two from Tinian; one will be of Carolinian descent, and one will be a resident of the Northern Islands. Among other qualifications, the directors must be U.S. citizens or nationals, commonwealth residents for at least 5 years, must speak Chamorro or Carolinian and must be of Marianas descent.

The directors shall publish an annual report to public on public land management, including any transfers of public land.

The interest of each of the directors in any commonwealth land also shall be published.

After 10 years, the corporation may be dissolved by an affirmative vote of 2/3 of the members of each house of the legislature.

Fundamental policies of the corporation will include the establishment of a homestead program for agricultural and village homesteads. Titles to homesteads may not be granted for five years, and transfer of a homestead may not be made for ten years after receipt of the homestead, except for persons who already have resided on the land for at least 20 years before the effective date of the constitution.

Except for the homestead program, titles to public lands may not be transferred for ten years from the date of the constitution. Leases may not exceed 25 years, including all renewal rights. A majority vote by senate members is necessary for the transfer of any interest in more than 5 hectares of land to any person or legal entity for commercial purposes. The corporation may not transfer any interest in public lands located within 150 feet of the high water mark of any sandy beach. The corporation is to adopt a comprehensive land use plan.

The Marianas Public Land Trust is established and will have 3 trustees appointed (and removed) by the trial court. The trustees shall make reasonable and prudent investments; for the first 10 years these shall be only in obligations of the U.S. government. If a Marianas Development Bank is created and holds the entire amount of U.S. economic assistance for economic development loans (Section 702(c) of the Covenant), the Trust will use up to 55% of its receipts in any given year to increase the total capital available to the bank to the sum of \$10,000,000. If in any subsequent year the bank has more than \$10,000,000 in total capital, then the bank will repay to the Trust the excess above that sum until the Trust has been made whole.

The Trust is to make available the interest, and as necessary, the principal of the amount received for lease of property at Tanapag Harbor, for the development and maintenance of a memorial park.

The Trust will publish an annual report on revenues received and expenses incurred.

ARTICLE XII: Restrictions on Alienation of Land

Permanent and long-term interests in land may be acquired only by persons of Northern Marianas descent. Exceptions are made for transfers to a spouse by inheritance, and for transfer to a mortgagee, who may hold the interest for five years.

A person of Northern Marianas descent is defined as a US citizen or national "of at least one-quarter Northern Marianas Chamorro or Northern Marianas Carolinian blood or a combination thereof or an adopted child of such person if adopted while under the age of 18 years." A person is considered to be a full-blooded Northern Marianas Chamorro or Carolinian if he was born or domiciled in the Northern Marianas prior to 1950 and was a Trust Territory citizen prior to termination of the trusteeship with respect to the commonwealth.

A corporation will be considered of Northern Marianas descent if it is incorporated in the commonwealth, has its principal place of business in the commonwealth, has directors at least 51% of whom are of Northern Marianas descent and has voting shares at least 51% of which are owned by persons of Northern Marianas descent. If a corporation ceases to be qualified, its interest in the land will be forfeited to the government.

ARTICLE XIII: Eminent Domain

The government may exercise the power of eminent domain to acquire private property for a public purpose. Private land may be taken only if no suitable public land is available; and just compensation must be provided.

The legislature may repeal any current statute of limitations in order to provide just compensation for past transactions which the legislature feels were not duly compensated for.

ARTICLE XIV: Natural Resources

Marine resources over which the commonwealth has or will have jurisdiction are to be controlled, protected and preserved for the benefit of the people. The transfer of any interest in marine resources is to be controlled by law.

Managaha is to remain uninhabited and be used only for cultural or recreational purposes. Sarigan and or any other island provided by law are to remain uninhabited and be used for the preservation of bird and wildlife.

Places and things of cultural or historical importance are to be protected and preserved by law. Such things are not to be removed from the jurisdiction of the commonwealth.

ARTICLE XV: Education

Free, compulsory public elementary and secondary education are provided. Higher education is provided.

ARTICLE XVI: Corporations

Private business corporations may be organized, extended or amended only by general laws.

ARTICLE XVII: Oath of Office

Legislators and government officers and employees are required to take an oath to support and defend the Commonwealth constitution and laws, the Covenant, the U.S. Constitution, and U.S. treaties and laws applicable to the Northern Marianas, and to faithfully discharge their duties to the best of their ability.

ARTICLE XVIII: Constitutional Amendments

Constitutional amendments may be proposed by constitutional convention, legislative initiative, or popular initiative.

Constitutional Convention. The legislature may--and must 7 years after the constitution is ratified--ask voters to approve the holding of a convention to propose amendments. The people may also, by legislative initiative, ask the legislature to ask the voters. Voters must approve the question by two thirds of the votes cast. The call for constitutional convention is not subject to veto by the governor.

Legislative Initiative. The legislature may propose constitutional amendments by an affirmative vote of 3/4 of the members of each house present and voting.

Popular Initiative. The people may propose constitutional amendments through a petition signed by voters equal in number to at least 50% of the number of registered voters so registered from each municipality. The amendment so proposed must be approved by a majority of the legislature before being submitted for ratification.

Ratification of Amendments. Proposed amendments will be submitted to the voters for ratification. An amendment proposed by legislative initiative must receive an affirmative vote of a majority of votes cast. Amendments proposed by constitutional convention or popular initiative must have the approval of a majority of the votes cast and at least 2/3 of the votes cast in each of two of the three municipalities. Proposals for amendment are not subject to gubernatorial veto.



At the first day of hearings on the initial draft of the Northern Marianas Constitution young and old came to listen to the questions raised on the articles of the Constitution.

THE ONLY INFORMATIVE LOCAL NEWSPAPER

Marianas Variety
News & Views

As They See Us: Jacques Decornoy in LE MONDE, PARIS.

MICRONESIA: 2,000 Islands For Uncle Sam

WATER IS NOT NEUTRAL

Saipan - You could have a worse introduction to Micronesia than flying over it. It is worth taking the long way around, rather than the direct flight from Honolulu to Saipan. During the stops when the plane takes on fuel, the passenger takes on his first impressions. Not necessarily the most hazy, either.

So we cross the frontier of Micronesia, from the United States. There must be a frontier somewhere, some break. Alright then, let's look for one. The map says that the plane will put down at Majuro, in the Marshalls group, after 3,700 kms. Make no mistake, we do not leave the United States as quickly as that.

Two hours flight and the aircraft dives for a runway set upon the ocean. A white line on the Pacific, an atoll-cum-landing-place, like a big stationary aircraft-carrier. An atoll-base: Johnson, a weird estate of the US Air Force.

No room here for frills, for coconut palms or lawns. Just the runway, a few outhouses hemmed in between the tarmac and the ocean. The nearest neighbours are 1,500 kms away. Passengers are requested to remain on board.

Take-off. This time it is really a departure for "something else". Heading South-West. We will lose a day on the way. A good 2,000 kms and Micronesia appears.

Appears? The word is accurate. Right in the middle of the Pacific an atoll is an apparition, from the plane, as from the boat. It is so very flat. The immense blue gives way suddenly to a ring of jade, marking a reef. A little round brush-stroke in dark green (the dark green of the coconut palms). A few metres wide here, twenty or thirty metres there: Majuro.

Majuro, a name that means nothing. Besides no one knows anything about the Marshall Islands. No one? Oh, yes. Everyone does, without knowing it. To the north of the archipelago, Eniwetok Ears prick up. Vague memories. Not far away: Bikini. Not everyone understands.

Another stop at Kwajalein. Not an international airport, but one that serves a missile-launching site. It is written large on the building. Here passengers can stretch their legs. But only in a small room, and then only with a security badge.

Americans, military and civil, leave for nearby atolls on craft of the US Air Force. Here we are back in America. When are we going to leave it? And what would happen if we didn't leave it, or only for a moment?

1100 kms. Here are the first of the Carolines. And, first of all, Ponape. Just a biscuit surrounded with a crown of coral reef. The crown is there alright, but the island is mountainous. An enormous jade-colored rock seems to guard the airport.

Micronesia? Yes, no doubt about it. It is Micronesia, high, wide and poor. Not a single permanent building. A sort of hut, built from wood and roofed with a type of corrugated iron. A jostling, friendly crowd.

Our sacrifice to the spirit of the times - we pass through security checks for weapons. Where could one ever hijack this plane to?

GREEN FLOTSAM ON A BLUE BACKGROUND

The pilot made good time between Ponape and Truk (700 kms). So he can take us on a bit of sightseeing. We miss nothing of the island of Truk; just as well, because the spectacle is superb.

The atoll encloses a lagoon that carries in it seven mountainous islands. There's the point where the Japanese installed their HQ. They lost about sixty ships here.

The pilot skims over the lagoon, names certain of these submerged wrecks, fat cigar shapes, spring-green on a blue background. We land.

Totalitarian sun. But it is beaten at its own game. This star is not the brightest thing here, rather the dresses of the women and the girls are like day-glo posters.

As on the previous stops, a young girl from Palau, a south-west archipelago we will visit later, meets

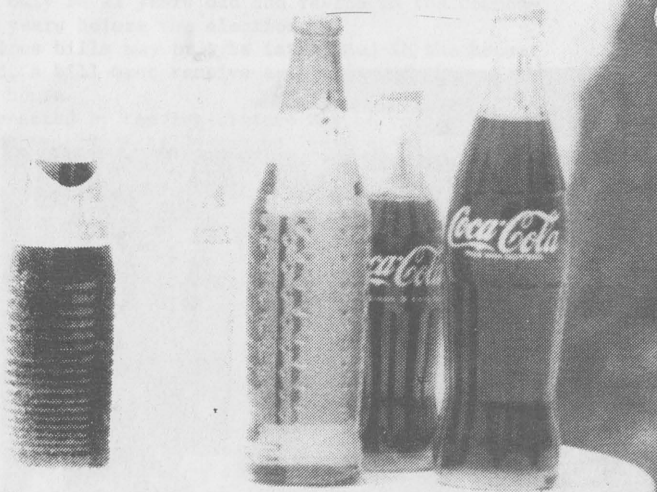
con't on page 15



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Christmas is Coming: Gifts From Micronesia

Abby Brown
Staff Writer

Saipan --- With Christmas less than six weeks away, it is not at all too soon to shop for gifts to send abroad. Micronesian handicraft is a natural choice to send to folks on the Mainland. The Marianas Variety this week made a small survey of crafts items in stock at local shops.

We visited Arts and Crafts of Micronesia and Sablan Handicrafts on Beach Road in Garapan; the Saipan Cottage Industries shop in the Farmer's Market building in Chalan Kanoa; Mac Handicraft (Camacho's) in San Roque, and the Continental Hotel's gift shop.

Arts and Crafts of Micronesia has by far the widest selection of Micronesian crafts. Sablan Handicraft and the Continental Shop also carry gifts from the other districts. Sablan Handicrafts, Saipan Cottage Industries, and Mac Handicraft mostly stock items from the Marianas.

If one is determined that the gift be from the Trust Territory, be careful, because all the shops, except Cottage Industries, have some items -- especially in jewelry and wood--made in the Philippines.

All the stores have fairly good stocks and expect some additional shipments before the holidays.

As with so many things, the choice will depend in part on the budget. If price is no concern, one might choose one of the following three items, which start at \$20 and go up:

(1) The Marshall's Kili bag, a finely woven purse of coconut fiber, is a perennial favorite, as can be seen by the prices which now range from \$25 to \$45, depending on size. It used to be that Kili bags were hard to get, but the price has gone up so high that the stores seem to be able to stock them;

(2) The Palauan story-board, carved in natural woods or carved and painted, has escalated drastically in price. Arts and Crafts of Micronesia has several nicely painted ones for around \$50.

(3) The Ponapean round tray, in brown pandanus and white coconut fiber, decorated with shells or tortoise, is lovely and also expensive, ranging from about \$25 to \$45.

There are three other items sure to be welcomed by one's most special recipi-

ents, but one find a contact in Palau or Ponape to help get them. They are the very graceful and practical Kapingamarangi coconut graters, the Kapingamarangi sailing canoe, and, perhaps most special of all, an original painting by Charles Gibbons, Palau's own "Grandma Moses." The grater or canoe probably will range from \$30 to \$80. A Gibbons original will be over \$100.

For smaller gifts, and for those on budgets, there is still a nice variety of gifts under \$20, especially from Ponape, the Marshalls and Truk. Many of these items are lightweight, so they can be air mailed.

Marshalls: For under \$10, one might choose a woven cigarette case, a small basket, coasters or hot pads, or single woven flowers. Between \$10 and \$20, one can find a larger basket, open or lidded, stick chart (traditional navigational aid); flower stand, or a new item, a charming woven basketful of woven flowers. Marshallese goods are available at Arts and Crafts, Sablan, and Mac.

Ponape: Under \$10 are the woven fans, coaster sets, woven barrettes, tortoise jewelry, and small carved wood fish. From \$10 to \$25, look for wind chimes of sea urchin spines, dance paddles, carved wooden sharks with real shark teeth, the popular tortoise and coconut fiber purse, and the new dressy octagon-shaped shoulder bag of coconut fiber with cowry shells.

Truk: The very inexpensive Trukese "love stick" is always a great conversation piece, with its story of Trukese courting customs. Also under \$10 are woven barrettes, plain cigarette cases, Trukese masks, and pandanus purses, plain or multi-colored. Arts and Crafts also has a large supply of the popular, large round pandanus mats (\$16) for wall hangings. A footnote must be added, unfortunately, that some of the Truk crafts have deteriorated in quality recently.

Palau: For some reason, the lovely tortoise, black coral and shell jewelry made in Palau doesn't work its way to Saipan. Arts and Crafts does, however, have a few attractive clay bead necklaces and black coral pendant necklaces at \$8 and \$9. Another idea is to buy a Charles Gibbons print (\$3.50 each or set of 5 for \$16.80)

Yap: Yap is the most poorly represented in the handicraft department. Might choose a betel nut bag or stone money piece or pendant for under \$10.

Marianas: Saipan has some nice, woven pandanus bags for under \$20, and the Bo Jo Bo Wishing dolls are always popular (\$5.50 a pair at Mac, a little more elsewhere.) Aside from these, Saipan's handicraft industry

still seems to be floundering. Many efforts are being made, but much of the product is subpar. Some nice jewelry can be found: paper shell puka, shell and seed leis, and shell pendants. Kids might enjoy a carved coconut face from Sablan Handicrafts (\$4 and \$5), and cottage industries has some animal statues made from coconut.

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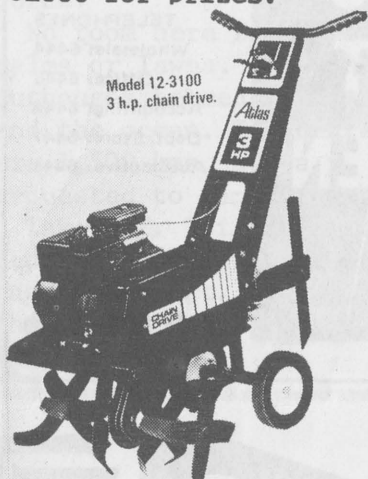
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SAIPAN'S 2nd FARMERS AG - FAIR

The second annual Saipan Agricultural Fair is slated for December 5 and will be held within the compounds of the Northern Marianas Legislature from 10 a.m. to 2 p.m.

The fair is sponsored by the Saipan Chamber of Commerce and the Saipan Municipal Government, each contributing about \$1000 for prizes.



Best Farmer's Prize

The fair will feature some 21 varieties of local plants and crops, including beans, cabbage, pepper, radish, tomatoes, onions, melons, cucumbers, watermelons, sweet potatoes, yam, taro, tapioca, eggplant, banana, citrus, squash, papaya, pineapple, and ginger.

The fair also will have a display of handicrafts and rare local crops. The prizes for each of the 21 categories will be \$25 for first place, \$15 for second place, and \$10 for third place.

A tiller, costing over \$300, will be awarded to the "Farmer of the Year."

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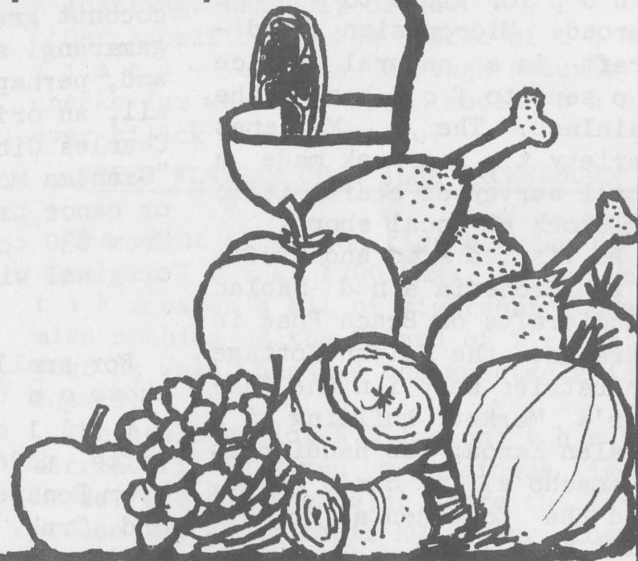
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What, When & Where?

M. Bentley
Staff writer

GARAPAN CARNIVAL

On Saturday, November 20th, there will be a Carnival-Fiesta at Garapan's Church following High Mass. There will be food, drinks, concession booths, games, a local band, dancing, and entertainment. Money and food have been donated by local business and community leaders. All proceeds will go to the building of a new Church. Come and join in on the celebration!

VOLLEYBALL

The 1976 Girls Interscholastic Volleyball league will start on Tues. Nov. 23 at the Mt. Carmel Gymnasium. The time for these power volleyball matches will be 3:15 and 3:45. The public is invited to watch.

SOCCER

A first for Saipan. A soccer league will start on Friday, Nov. 26 at the Marianas High School Athletic field. Games will be played four times a week on the soccer "pitch" with the kick-off for all games at 3:30. The public is cordially invited to watch their "Youth in Action."

"FLICKS"

The Saipan Flicks Club will be showing "The Graduate" for members at the Gateway Restaurant on Wednesday, November 24th, at 8:30 pm. There are memberships still available.

AGRICULTURAL FAIR

The Saipan Chamber of Commerce is sponsoring an Agriculture Fair on December 5th. Entries include some 46 categories of various vegetables, fruits, and livestock. If interested in entering, contact either the Farmer's Co-Op at 6532 or Bill Sakovich at 9458.

MOVIES

The Gateway Restaurant at Saipan's Airport will feature "Sankisan Maru," about a diving expedition in the Truk Lagoon, on November 22nd, at 7:30 pm.

ROCK CONCERT

The Island Youth Council is sponsoring a Rock Concert featuring "Brown & Proud" at Mt. Carmel's Gym on Friday, November 19th from 7:00 pm until midnight. The cost is \$1.00 per person.

DANCE

There will be a dance at Chalan Kanoa's Auditorium featuring "The Cortez Bros," on November 22nd, at 7:30 pm. The cost is \$1.00 per person.

BASKETBALL GAME

Don't miss the Island Basketball League in action every Monday, Wednesday, and Friday night at Mt. Carmel's Gym. The first game is at 7:30 pm, followed by an 8:30 pm game.

MUSIC AND DANCE FESTIVAL

A Music and Dance Festival will be sponsored by the Saipan Rotary Club on Sunday, November 21st, at 6:00 pm. The Festival will be held at the Inter-Continental Hotel's Pool and Beach area. Performances will be given by: the Inter-Continental Band with Suzanna, the Rotary Club Choir, the Square Dancers, Dave Potzin, Johnny B., Singeru, the Continental Dancers, and the Tahitian Dancers. Food will be served buffet style. The cost per ticket is \$6.00. You can obtain tickets from Rotary members or buy them at the door.

(Any happening you want the public or your members to know, contact the Variety)

Micronesia For Uncle Sam...

con't from page 12

Micronesians of her own generation at the aerodrome. Chats in English. An exchange of school souvenirs.

Do Micronesians know each other then? Crucial problem, the sole real problem. But today we are only flying over. Where is he taking us to?

To America again! 1,017 kms and there is Guam.

Guam, America since 1898, a slot of American territory out of the map of Micronesia. Guam and its bases (B-52's for Vietnam), its hotels full of Japanese (a favourite place for honeymooners, it seems). Guam, queen on Washington's strategic chess-board.

Last flea-hop, once again into Micronesia. Saipan, at last. The Mariana Islands, Saipan, capital of the Trust Territory of this Micronesia given over into the hands of the Americans after the Japanese debacle. Have we

reached our goal? Have we dropped anchor for a time in Micronesia?

Wrong again. We have landed on Ambiguity Island. For Saipan is no longer more than the temporary capital of the Group. In 1975 the people of the Marianas voted in favour of a new status, that of American territory, separating from the emerging Micronesian entity.

Where are we then, after such a long flight? Micronesia hides, evaporates, an illusion in the ocean. Here we are, right next to Japan and to China, but once again in the United States. All that was necessary was the vote of a few thousand Mariana Islanders for the map of the universe to be redrawn, without moving the peoples of the world, without producing headlines in the world's newspapers.

For a phenomenon of crucial importance is under way here. Between the key that is Hawaii and the other key that is the Marianas, the Pacific has become an undisputed American lake. The strategy of the future finds here one of its major turning-points, at the conjunction of powers American, Japanese, Chinese and Soviet. And it is here also that they are beginning to sketch in an outline.

From Tinian, a few kilometres from Saipan, left on a certain day in 1945 an aeroplane, the one that spelled the end for Hiroshima.... The runway has been eaten up by the jungle but, already, the Pentagon is thinking of reclaiming the field. The future has already begun. The American future? Doubtless, but what about the Micronesian future?

(To be continued next week)

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Marianas Club In Hawaii

Honolulu ----- The Northern Marianas Club of Hawaii recently was organized to give financial and other assistance to Northern Marianas students and residents in Hawaii, according to a release from the club.

The club is the most recent attempt to organize Northern Marianas students and residents in Hawaii, and it is hoped that the club will succeed as an organization for Northern Mariana Islanders, the release said.

The club will visit Marianas medical patients who are hospitalized in Hawaii, the release said.

The club also plans fund raising activities.

The club's constitution was approved September 25. The following club officers were elected October 9: Augustin Camacho, president; Carlos Salas, vice president; Henry Sablan, treasurer; and Josephine Guerrero, secretary, the release said.

The club will meet every first Saturday of the month.

The club was organized with the assistance of Ignacio Villanueva, Trust Territory student coordinator.



Northern Marianas Club of Hawaii officers pose in front of East-West Center. From left, Camacho, Salas, Guerrero and Sablan.

Basketball League Opens

Saipan -- An island-wide men's basketball league opened with two games Monday, November 15, according to a Marianas Community Development Office release.

Saipan Municipal Council Speaker Joe Rios presided for the official opening.

Results of the first week's games:

Garapan Knights, 63
Broncos, 42
Eagles, 71
76'er, 65
Royal Flush, 44
Sixers, 41

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WILLIAM BRADFORD
Ye Governor of Ye Colony

Ye Bill of Thanksgiving Fare

November 25, 1976

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Police Reports:

WHO-DUN-IT?

M. Bentley
Staff Writer

November 11th, Burglary and Grand Larceny:

Carlos C. Blanco, 33, of San Vicente reported that his house was burglarized, though no forced entry was evident. Blanco reported that \$5,000.00 cash was stolen from his refrigerator. Evidently, Blanco had placed 200 twenty dollar bills and 20 fifty dollar bills into a white envelope inside the refrigerator and found the money to be missing.

November 12th, Vehicle Accident:

A three car accident occurred on Beach Road in front of Mt. Carmel at 7:50 am. It was a series of rear-end collisions, causing a domino effect. Jesus T. Villagomez, 35, of San Vicente struck the car of Godofredo S. Mostales, 23, of San Antonio, who in turn struck the car of Judy G. Pundole, 31, of San Vicente. Villagomez's vehicle suffered frontal damages, while the other two vehicles suffered rear damages.

November 13th, Assault and Battery and Disturbing the Peace: A fight occurred at the Marianas Inn, a bar in Susupe. Evidently, Bernard Ngiraipai of San Antonio received a black eye from the suspect, Bernard Sbangioh of Susupe Village. Sbangioh fled from the scene of the crime.

November 15th, Grand Larceny:

The Pangelinan Building of Susupe Village was burglarized on Monday of \$32.00, an electric toothbrush, and one calculator with adapter. No forced entry had been made.

November 15th, Vehicle Accident:

A two-car collision occurred on 16 Highway in San Jose. A Toyota station wagon driven by Rudolfo T. Castro, 21, of Chalan Laulau was struck by another Toyota station wagon driven by Nicolas M. Manglona, 32, of San Vicente. Both vehicles were traveling in the same direction when the collision occurred. Only minor vehicle damages resulted.

November 16th, Petty Larceny:

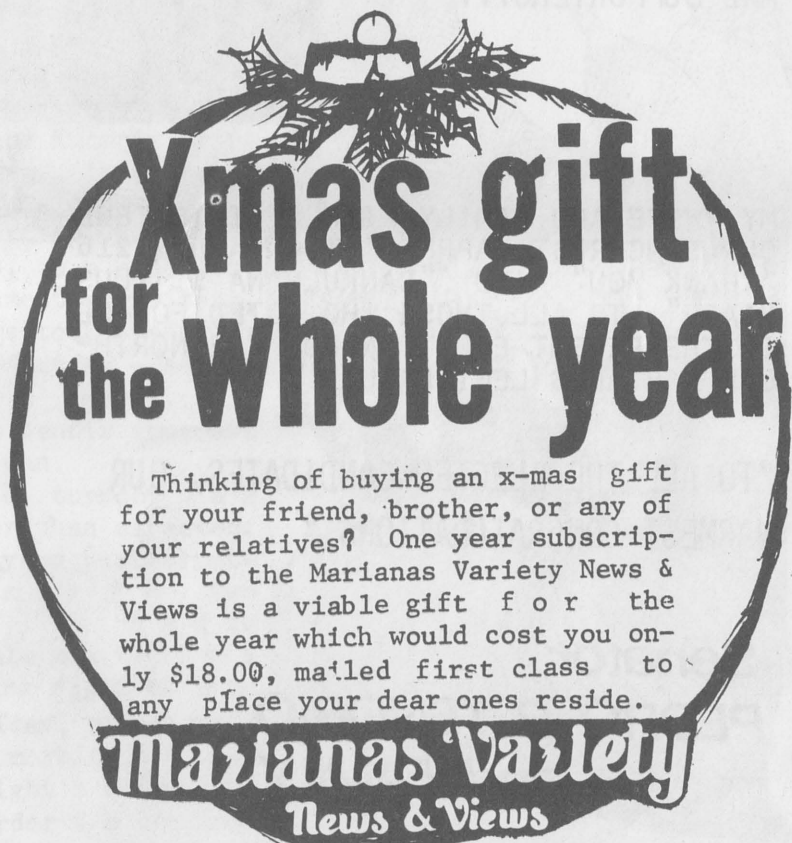
Oleai Elementary School was apparently burglarized by some baseball bandits. The principal of Oleai reported that the school had been burglarized of a bat, a base ball, and a baseball glove.

November 16th, Vehicle Accident:

A single-car accident occurred on 2/W Highway in front of the Chamorro Monument at 3:30 am. The car of Edward S. Cabrera, 25, of Susupe Village went off the highway and into the bushes with Cabrera inside.

November 16th, Cheating:

A case of "cheating" was reported at the Inter-Continental Hotel's Bar in Garapan. The two suspects, Mariano Nekaifes and Juan Rasiang came to the bar and drank two drinks, and reportedly made a hasty departure without paying.



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People Want More Time...

con't from page 1

ing or corporate charters and the like;" that current laws concerning hand guns be maintained, and that Section 12 on privacy should be deleted. The Chamber of Commerce also proposed that the legislature meet for "two 45-day sessions spaced six months apart..." as any legislature that meets perpetually has a tendency to try to usurp the prerogatives of the Executive Branch."

The Chamber of Commerce's testimony seemed primarily concerned with Rota and Tinian's ability to control the legislature, the composition of the legislature, and the land alienation issue.

Screen testified that the Chamber was "opposed to a bicameral legislature as unnecessarily expensive," and felt that both the Senate and House of Representatives were too large "in relation to anticipated revenues, population, and geography." The Chamber proposed that the Senate be comprised of six members only and that the House of Representatives have 17 members, 14 from Saipan, 2 from Rota, and 1 from Tinian. This would comply adequately with the one-man one-vote rule with each representative having about 800 people to represent.

The Chamber urged that the salaries of legislators be lowered from \$12,000.00 to \$8,000.00 annually, as this was "too expensive for our small Commonwealth in view of the very low wages earned by most of our people." The

Chamber criticized the provision for a "mayor for the islands north of Saipan...as an unnecessary luxury."

Screen testified that the land alienation provision "tends to discriminate against future citizens of the Northern Marianas, including those whose ancestry were once full-blooded Northern Marianas descent." The Chamber recommended that the "1/4 bloodline be deleted," along with the necessity of having been a T.T. citizen prior to termination of Trusteeship in respect to the Commonwealth, as this bars full-blooded Chamorros and Carolinians who have since taken up American Citizenship.

The Chamber felt that the "51% requirement for investment in the Northern Marianas by outside capital" be reconsidered.

The Chamber also testified that the provision for constitutional amendment as is written allows only 12.6% of the population (Rota and Tinian) to thwart the desires of the majority, some 87.4%.

Dave Sablan, General Manager of Microl Corporation, testified in the November 17th morning session, voicing demands aligned with those put forth by the Chamber of Commerce. However, Sablan differed from the Chamber's line of argument by saying that the land alienation clause should be maintained until the United States allows the people of the Northern Marianas the right to vote in U.S. presidential elections. Until this is done, Sablan urged that the land alienation clause not be compromised.

Dino Jones, a former Saipan Municipal Council member from San Roque, proposed that the procedure of advice and consent also be given to the Lower House and urged that municipal governments be restored until jobs can be located.

Manuel Sablan, Trust Territory Superintendent of Public Safety, testified with grave concern that the Department of Public Safety not be incorporated into the Attorney General's Office. Sablan urged the constitution to allow lawyers to be lawyers and law enforcers to be law enforcers.

Sen. Herman R. Guerrero, testified that he felt the \$12,000.00 legislative salary is justified. Guerrero said that if less than \$12,000.00 were to be offered legislators, the job would be less attractive and it would draw people of lower caliber. High salaries are required to have "qualified" and "potentially good" legislators, according to Guerrero.

He voiced concern primarily over the composition of the legislature, stressing that it was not balanced according to the one-man-one-vote rule. Guerrero said that the number of legislators was far too high, turning the legislature into an employment agency rather than an effective and operative branch of government. Guerrero urged the delegates to take special consideration of minority groups, particularly in regards to electoral districting.

The public hearings also drew the support of a U.S. Government class, from Marianas High School. Class members asked about the definition of compulsory education and what was meant by higher education. One student questioned whether higher education was post-secondary education and would it include special education. Delegates replied that higher education means all education beyond high school and will

include special education programs.

With the public hearings now a fait accompli, the Con-Con delegates now can proceed with their tight schedule on amending the constitution and polishing it up before bringing it to public vote. Many people

Land...

con't from page 3

alienation cases have reached the Supreme Court, according to reports by the Plebiscite Commissioner Erwin D. Canham, and their restricting of property ownership, was held to be constitutional. The Supreme Court has held that the constitution may not be used to cause mischief to people under U.S. jurisdiction; and that laws which protect economically weak minorities are permissible under the law. Laws restricting property ownership of land exist in both Hawaii and American Samoa, and are considered effective in limiting the ownership of land to persons of local descent.

Another possible defense of the land alienation article is the Indian Commerce Clause. In this clause, Congress established land tenure patterns which could be

were disappointed in these hearings, feeling that they were simply a technical formality which was pursued far too hurriedly. From here the constitution will be prepared for its final test, approval by the U.S. Congress.

regarded as discriminatory and in direct violation of the Equal Protection Clause, according to a study done by a UCLA law intern last year. If the Northern Marianas could possibly be viewed as an Indian reservation in terms of protecting lands and culture, then perhaps this clause will suffice as a precedent. Marianas most definitely are not American Indians, but if Congress and the Supreme Court justify them as such, then this article may be upheld.

The land alienation measure was passed overwhelmingly in the Con-Con. Obviously the legal consultants have faith in its constitutionality; the Marianas people were assured of this when the covenant was negotiated last year. But it remains to be seen as to what exactly the full legal ramifications will be.

TO ALL MY
FRIENDS,
RELATIVES
AND SUPPORTERS...



MY WIFE AND FAMILY WISHES TO EXTEND OUR SINCEREST APPRECIATION AND 2,216 "THANK YOU" AND "DANKULO NA SI YUUS MAASE" TO ALL THOSE WHO VOTED FOR ME IN THE RECENT ELECTION FOR THE NORTHERN MARIANAS LEGISLATURE.

"TO ALL THE ELECTED CANDIDATES, OUR WARMEST CONGRATULATIONS."

Senator
PEDRO P. TENORIO
and FAMILY

Cerqueda, Vega Tennis Champs

Abby Brown
Staff Writer

Saipan --- Christine Cerqueda steadied her way through four matches to win the women's singles title in the Saipan Beach Inter---Continental's introductory tennis tournament November 12-14. In the finals, Cerqueda beat Kubarri Ngirmengangel 7-5, 6-2 to win first place.

Roger Vega found the going a bit easier on his way to the men's singles title. Vega, who even before the tournament was suspected by many to be Saipan's best player, had an easy first round against the unfortunate Robert Major who as a novice of 10 days, and perhaps the worst draw of the tournament by getting Vega on the first round. Vega's second round was won by forfeit when his opponent sprained an ankle. Vega finally met some competition from runner-up John Halloran but still won in straight sets of 6-0, 6-0.

The tournament committee did not "seed" players in this tournament because it had no objective basis for doing so, according to tournament organizers.

In the men's doubles finals, Vega and partner Franz Reksid defeated Ponciano Rasa and Ermes Ngiralbaed 6-3, 6-1.

The mixed doubles finals were postponed by mutual consent of the participants when one of them fell victim to the flu. The match, pitting Luis Chong and Frances Takai against Ponciano Rasa and Kubarri Ngirmengangel, is expected to be a close one.

According to Steve Loftus, one of the tournament organizers, this tournament was "introductory"-designed to get a reading on tennis interest on Saipan.

The turnout was greater than expected: 37 players participated, many in two events. "We had to schedule matches starting right at 5 pm on Friday, and from early morning to late at night on Saturday in order to complete

all the matches during the weekend," said Loftus.

Most participants were good sports about the early and late matches and the number of events they had to play in one day, he said. Some had as many as three rigorous

matches in one day. "We realize this posed some hardship," said Loftus.

The tournament committee was encouraged by the obvious interest in tennis on Saipan and hopes to sponsor more tournaments in the near future.



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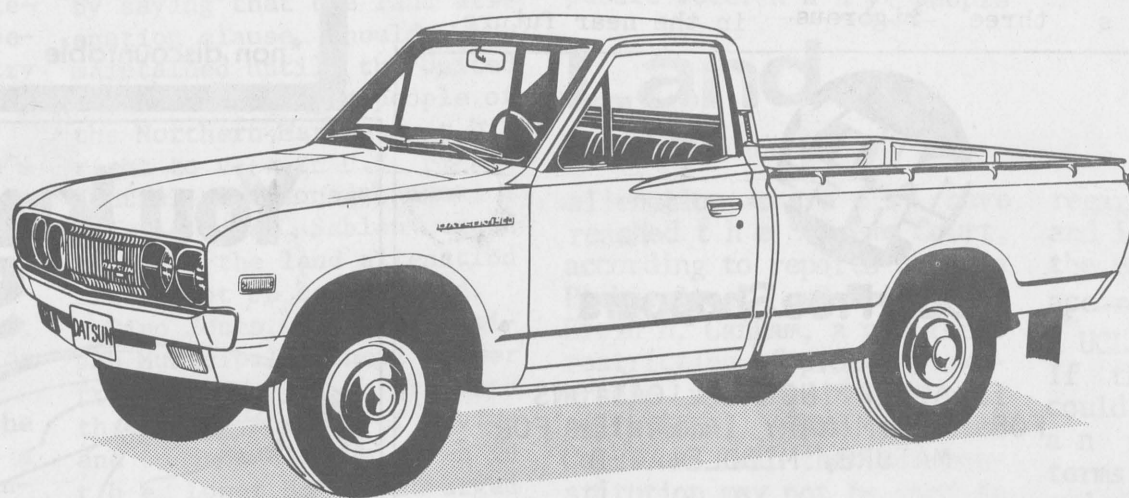
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