

ORIGINAL

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 1998

H. B. NO. 11-145, HD1

KE. PALLA 7/6/98 FARR

A BILL FOR AN ACT

To amend 4 CMC §5141 et seq. (the Commonwealth Disaster Price Freeze Act) to include housing, storage and shelter on the list of items whose prices may be frozen in the event of an emergency or disaster.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings. The Legislature finds that there is a problem with sudden
2 increases in the price of housing, storage, and shelter during a typhoon or similar
3 emergency. 4 CMC §5141 et seq. imposes penalties on "price gouging" of food, tools,
4 and other useful items during a typhoon or other emergency but does not address this
5 issue. The purpose of this bill is to correct this oversight by adding housing, shelter, and
6 storage to items subject to a price freeze and increases the penalties to reflect the severity
7 of the crime.

8 Section 2. New Subsection; Prize Freeze Items Added. Amend 4 CMC §5142(c)
9 by inserting after subsection (8) the following new subsection:

10 "9) Apartment rentals, charges for storage or shelter, or hotel room rates."

11 Section 3. Applicability. Amend 4 CMC §5142 by inserting after subsection (d)
12 the following new subsection:

13 "(e) Applicability. 4 CMC §5142(c)(9) shall apply only to persons who
14 are legal holders of business licenses and conduct an apartment, storage, or shelter
15 rental or hotel business."

16 Section 4. Price Freeze Item; Designation Clarified. Amend 4 CMC §5142(c)(5)
17 to read as follows:

18 "(5) Generators, cables, wires, ~~electrical~~ batteries of every sort, and similar
19 equipment for the generation and/or transmission of electrical power."

1 Section 6. Penalties Increased. Amend 4 CMC §5143 to read as follows:

2 "§5143. Penalties.

3 Any person who sells, or presents for sale, an item whose price has been
4 raised while a price freeze was in effect, shall be guilty of a felony, and shall be
5 subject to a penalty of not more than \$10,000 or ~~one~~ six months of imprisonment,
6 or both."

7 Section 5. Severability. If any provision of this Act or the application of any
8 such provision to any person or circumstance should be held invalid by a court of
9 competent jurisdiction, the remainder of this Act or the application of its provisions to
10 persons or circumstances other than those to which it is held invalid shall not be affected
11 thereby.

12 Section 6. Savings Clause. This Act and any repealer contained herein shall not
13 be construed as affecting any existing right acquired under contract or acquired under
14 statutes repealed or under any rule, regulation or order adopted under the statutes.
15 Repealers contained in this Act shall not affect any proceeding instituted under or
16 pursuant to prior law. The enactment of this Act shall not have the effect of terminating,
17 or in any way modifying, any liability, civil or criminal, which shall already be in
18 existence at the date this Act becomes effective.

19 Section 7. Effective Date. This Act shall take effect upon its approval by the
20 Governor or upon its becoming law without such approval.

DATE: 03/17/98

Introduced by: /s/ (Rep.) Rosiky F. Camacho

/s/ (Rep.) David M. Apatang

/s/ (Rep.) Karl T. Reyes

/s/ (Rep.) Jesus T. Attao

/s/ (Rep.) Heinz S. Hofschneider

/s/ (Rep.) Malua T. Peter

/s/ (Rep.) Melvin L.O. Faisao

Reviewed for Legal Sufficiency:

/s/Stephen Terravecchia



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 586
Saipan, MP 96950

TRANSMITTAL SLIP

To: The Senate

ACKNOWLEDGED RECEIPT OF:

HB 11-145, HD1

BY: 

DATE: 7/8/98

TIME: 3:15

House Clerk's Office



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 586
Saipan, MP 96950

July 8, 1998

The Honorable Paul A. Manglona
President of the Senate
Eleventh Northern Marianas Commonwealth
Legislature
Capitol Hill
Saipan, MP 96950

Dear President Manglona:

I am transmitting herewith for Senate action House Bill No. 11-145, HD1, entitled: "A Bill for an Act to amend 4 CMC §5141 et seq. (the Commonwealth Disaster Price Freeze Act) to include housing, storage and shelter on the list of items whose prices may be frozen in the event of an emergency or disaster.", which was passed by the House of Representatives on First and Final Reading on July 6, 1998, by unanimous vote of the members present, a quorum being present, Second Day, Fifth Special Session, 1998.

Sincerely,


Evelyn C. Fleming
House Clerk

Attachment

ORIGINAL

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 1998

H. B. NO. 11-145, HD1

H. passed 7/6/98 FARR

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Introduced by: /s/ (Rep.) Rosiky F. Camacho

/s/ (Rep.) David M. Apatang

/s/ (Rep.) Karl T. Reyes

/s/ (Rep.) Jesus T. Attao

/s/ (Rep.) Heinz S. Hofschneider

/s/ (Rep.) Malua T. Peter

/s/ (Rep.) Melvin L.O. Faisao

Reviewed for Legal Sufficiency:

/s/Stephen Terravecchia



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 586
Saipan, MP 96950

STANDING COMMITTEE REPORT NO. **11-18**

May 29, 1998

RE: H.B. NO. 11-145

adopted
6-19-98

The Honorable Diego T. Benavente
Speaker of the House of Representatives
Eleventh Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Commerce and Tourism to which House Bill No.(H.B.) 11-145 was referred, entitled:

"To amend ~~P.L. 10-17~~ 4CMC §5141 et seq. (the Commonwealth Disaster Price Freeze Act) to include housing, storage and shelter on the list of items whose prices may be frozen in the event of an emergency or disaster; and for other purposes."

begs leave to report as follows:

I. RECOMMENDATION:

Your Committee recommends that House Bill No. 11-145, be passed by the House in the form House Draft 1.

II. FINDINGS:

Your Committee finds that there exists a problem before and after disasters of sudden increases in the price of apartment rentals, charges for storage or shelter and hotel room rates. The Committee further finds that 4CMC §5142 et seq. imposes penalties on "price gouging" of food, tools and other useful items before and after disasters but fails to address this particular issue.

Your Committee finds the need to address this oversight by adding housing, shelter, and storage to items subject to a price freeze and to increase the penalties to properly reflect the severity of the crime.

Rec'd 6/5/98 JAC

May 29, 1998

R.E.: H.B. No. 11-145

Page 2

III. AMENDMENTS:


The following changes were made to the original version of H.B. 11-145 to create H.B. 11-145, HD1:

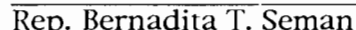
- 1) For codification purpose, deleted any reference to P.L. 10-17 and inserted in its place with the proper codification such as "4 CMC §5141 et seq.".
- 2) Included the word "storage" in the Title of the bill to be consistent with the enacting clause.
- 3) Added new Section 3 to the bill, titled "Applicability". Your committee had decided to make the amendment to include housing, shelter, and storage subject to a price freeze only to persons who are legal holders of business licenses to operate such businesses.
- 4) After review of the existing statute governing items subject to prize freeze, your committee approved amending 4 CMC §5142(c)(5) by deleting the word "electrical" before the word "batteries". By making batteries general, it would encompass any type of battery.
- 5) An amendment to the existing section which dealt with penalties was amended by your committee, as well. The amendment was made to reflect the severity of the crime by increasing the time spent in jail from one month to six months.

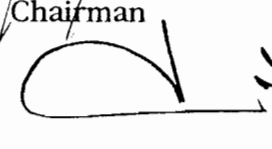
III. CONCLUSION:

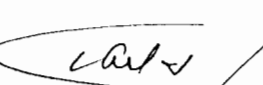
The Committee is in accord with the provisions of H.B. 11-145, and recommends that it be passed by the House in the form of House Draft 1, on First and Final Reading.

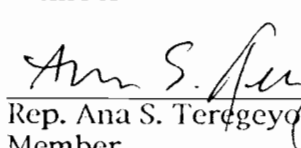
Respectfully submitted,

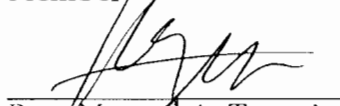

Rep. Oscar M. Babauta
Chairman



Rep. Bernadita T. Seman
Vice-Chairman

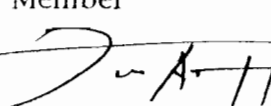

Rep. Jesus T. Attao
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Rep. Karl T. Reyes
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Rep. Ana S. Teregeyo
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Rep. Manuel A. Tenorio
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Rep. Rosiky F. Camacho
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Rep. Jose A. Hocog
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Rep. Alejo M. Mendiola
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ORIGINAL

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 1998

H. B. NO. 11-145, HD1

H. passed 7/6/98 Farrer

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/s/ (Rep.) Jesus T. Attao

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Reviewed for Legal Sufficiency:

/s/Stephen Terravecchia



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 586
Saipan, MP 96950

STANDING COMMITTEE REPORT NO. 11-18

May 29, 1998

RE: H.B. NO. 11-145

adopted
6-19-98

The Honorable Diego T. Benavente
Speaker of the House of Representatives
Eleventh Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker:

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begs leave to report as follows:

I. RECOMMENDATION:

Your Committee recommends that House Bill No. 11-145, be passed by the House in the form House Draft 1.

II. FINDINGS :

Your Committee finds that there exists a problem before and after disasters of sudden increases in the price of apartment rentals, charges for storage or shelter and hotel room rates. The Committee further finds that 4CMC §5142 et seq. imposes penalties on "price gouging" of food, tools and other useful items before and after disasters but fails to address this particular issue.

Your Committee finds the need to address this oversight by adding housing, shelter, and storage to items subject to a price freeze and to increase the penalties to properly reflect the severity of the crime.

Rec'd 6/5/98 JAC



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 586
Saipan, MP 96950

STANDING COMMITTEE REPORT NO. 11-18

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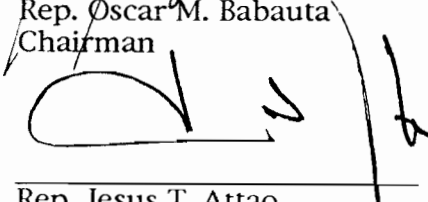
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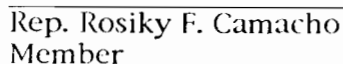
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Chairman

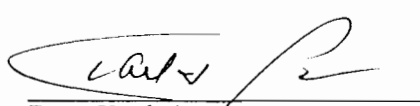

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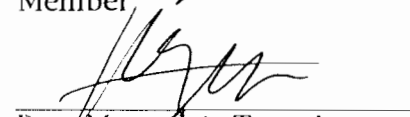

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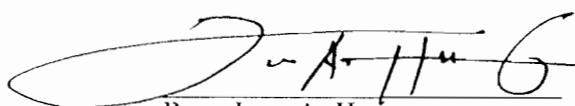

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Rep. Alejo M. Mendiola
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P.O. Box 586
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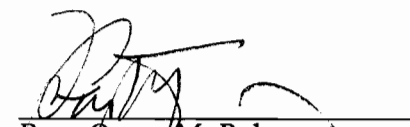
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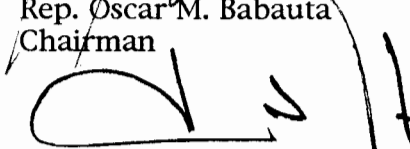
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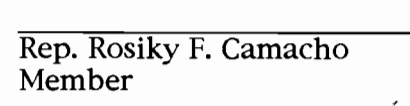
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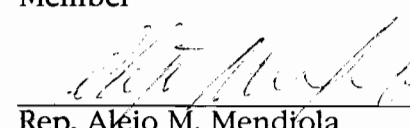
Respectfully submitted,



Rep. Oscar M. Babauta
Chairman

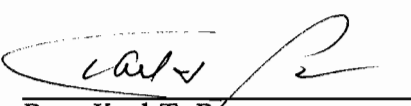

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Rep. Ana S. Terceyro
Member

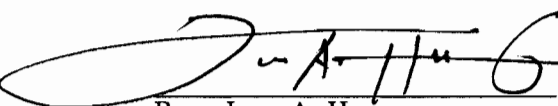

Rep. Rosiky F. Camacho
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Rep. Alejo M. Mendiola
Member


Rep. Bernadita T. Seman
Vice-Chairman


Rep. Karl T. Reyes
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Rep. Manuel A. Tenorio
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Rep. Jose A. Hocog
Member

SESSION, 1998

See passed 7/6/98

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6 this bill is to correct this oversight by adding housing, shelter, and storage to
7 items subject to a price freeze and increases the penalties to reflect the
8 severity of the crime.

9 Section 2. ~~Amendment.~~ Subsection (c) of section 3 of Public Law 10-17
10 is hereby amended by the addition of a subsection (9) to read as follows: New
11 Subsection: Prize Freeze Items Added... Amend 4 CMC §5142(c) by inserting after
12 subsection (8) the following new subsection:

13 "9) Apartment rentals, charges for storage or shelter, or hotel
14 room rates."

15 Section 3. Applicability. Amend 4 CMC §5142 by inserting after
16 subsection (d) the following new subsection:

17 (e) Applicability. 4 CMC §5142(c)(9) shall apply only to persons
18 who are legal holders of business licenses and conduct an apartment, storage,
19 or shelter rental or hotel business.

20 Section 4. Price Freeze Item; Designation Clarified. Amend 4 CMC
21 §5142(c)(5) to read as follows:

1 5) Generators, cables, wires, ~~electrical~~ batteries of every sort, and
2 similar equipment for the generation and/or transmission of electrical power.

3 Section 6. Penalties Increased. amend 4 CMC §5143 to read as follows:

4 §5143. Penalties.

5 Any person who sells, or presents for sale, an item whose price
6 has been raised while a price freeze was in effect, shall be guilty of a felony,
7 and shall be subject to a penalty of not more than \$10,000 or ~~one~~ six months of
8 imprisonment, or both.

9 Section . Severability. If any provision of this Act or the application of
10 any such provision to any person or circumstance should be held invalid by a
11 court of competent jurisdiction, the remainder of this Act or the application of
12 its provisions to persons or circumstances other than those to which it is held
13 invalid shall not be affected thereby.

14 Section . Savings Clause. This Act and any repealer contained herein
15 shall not be construed as affecting any existing right acquired under contract
16 or acquired under statutes repealed or under any rule, regulation or order
17 adopted under the statutes. Repealers contained in this Act shall not affect any
18 proceeding instituted under or pursuant to prior law. The enactment of this
19 Act shall not have the effect of terminating, or in any way modifying, any
20 liability, civil or criminal, which shall already be in existence at the date this
21 Act becomes effective.

22 Section . Effective Date. This Act shall take effect upon its approval by
23 the Governor or upon its becoming law without such approval.

Date: Prefiled March 13, 1998

Introduced By: /s/Rep. Rosiky F. Camacho

Reviewed for Legal Sufficiency:

/s/Stephen Terravecchia

REFERRED To: C&T
MAR. 19 1998 (HOUSE)

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE H. B. NO.

11-145

FIRST REGULAR SESSION, 1998

A BILL FOR AN ACT

To amend P.L. 10-17 (the Commonwealth Disaster Price Freeze Act) to include housing and shelter on the list of items whose prices may be frozen in the event of an emergency or disaster.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings. The Legislature finds that there is a problem with
2 sudden increases in the price of housing or shelter during a typhoon or
3 similar emergency. P.L. 10-17 imposes serious penalties on "price gouging" of
4 food, tools, and other useful items during a typhoon or other emergency, but it
5 did not address this issue. The purpose of this bill is to correct this oversight.

6 Section 2. Amendment. Subsection (c) of Section (3) of Public Law 10-17
7 is hereby amended by the addition of a subsection (9), to read as follows:

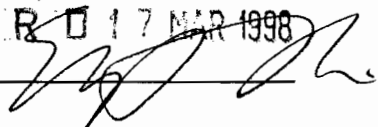
8 "9) Apartment rentals, charges for storage or shelter, or hotel room
9 rates."

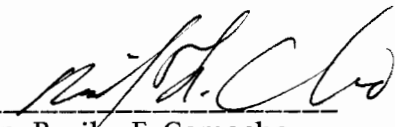
10 Section 3. Severability. If any provision of this Act or the application
11 of any such provision to any person or circumstance should be held invalid by
12 a court of competent jurisdiction, the remainder of this Act or the application
13 of its provisions to persons or circumstances other than those to which it is
14 held invalid shall not be affected thereby.

15 Section 4. Savings Clause. This Act and any repealer contained herein
16 shall not be construed as affecting any existing right acquired under contract
17 or acquired under statutes repealed or under any rule, regulation or order

1 adopted under the statutes. Repealers contained in this Act shall not affect any
 2 proceeding instituted under or pursuant to prior law. The enactment of this
 3 Act shall not have the effect of terminating, or in any way modifying, any
 4 liability civil or criminal, which shall already be in existence at the date this
 5 Act becomes effective.

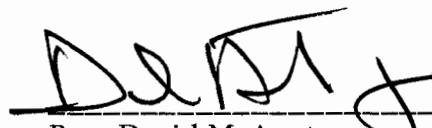
6 Section 5. Effective Date. This Act shall take effect upon its approval by
 7 the Governor or upon its becoming law without such approval.

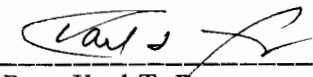
8 *Filed 3-13-08*
 9 **INT R D 17 MAR 1998**
 Date: 

Introduced By: 
 Rep. Rosiky F. Camacho

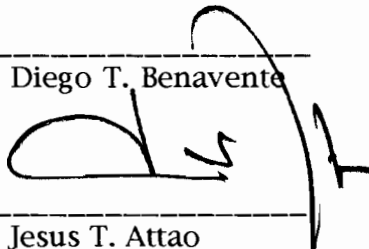
Reviewed for Legal Sufficiency:

Rep. Dino M. Jones


 Rep. David M. Apatang


 Rep. Karl T. Reyes

Rep. Diego T. Benavente

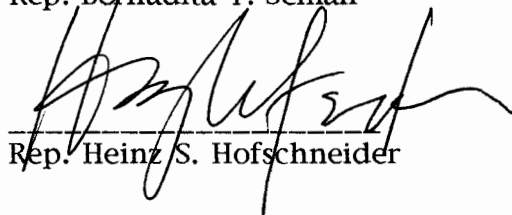


Rep. Jesus T. Attao

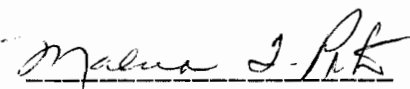
Rep. Manuel A. Tenorio

Rep. Alejo M. Mendiola

Rep. Bernadita T. Seman


 Rep. Heinz S. Hofschneider

Rep. Ana S. Teregeyo

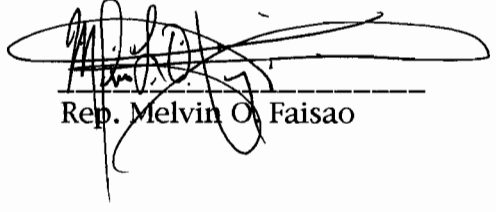

 Rep. Malua T. Peter

Rep. Maximo L. Olopai

Rep. Jose A. Hocog

Rep. Frank G. Cepeda

Rep. Oscar M. Babauta



Rep. Melvin O. Faisao

Rep. Herman T. Palacios

REVIEWED FOR TRANSMITTAL TO THE SENATE / GOVERNOR BY THE
LEGISLATIVE COUNSEL THE FOLLOWING:

HP 11-145, HD1

BY:

[Signature]

DATE:

2/8/97

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H. B. NO. 11-145, HD1

FIRST REGULAR SESSION, 1998

A BILL FOR AN ACT

changes on p. 2

To amend 4 CMC §5141 et seq. (the Commonwealth Disaster Price Freeze Act) to include housing, storage and shelter on the list of items whose prices may be frozen in the event of an emergency or disaster.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings. The Legislature finds that there is a problem with sudden
2 increases in the price of housing, storage, and shelter during a typhoon or similar
3 emergency. 4 CMC §5141 et seq. imposes penalties on "price gouging" of food, tools,
4 and other useful items during a typhoon or other emergency but does not address this
5 issue. The purpose of this bill is to correct this oversight by adding housing, shelter, and
6 storage to items subject to a price freeze and increases the penalties to reflect the severity
7 of the crime.

8 Section 2. New Subsection: Prize Freeze Items Added. Amend 4 CMC §5142(c)
9 by inserting after subsection (8) the following new subsection:

10 "9) Apartment rentals, charges for storage or shelter, or hotel room rates ."

11 Section 3. Applicability. Amend 4 CMC §5142 by inserting after subsection (d)
12 the following new subsection:

13 "(e) Applicability. 4 CMC §5142(c)(9) shall apply only to persons who
14 are legal holders of business licenses and conduct an apartment, storage, or shelter
15 rental or hotel business."

16 Section 4. Price Freeze Item: Designation Clarified. Amend 4 CMC §5142(c)(5)
17 to read as follows:

18 "(5) Generators, cables, wires, electrical batteries of every sort, and similar
19 equipment for the generation and/or transmission of electrical power."

Section 6. Penalties Increased. ^A amend 4 CMC §5143 to read as follows:

§5143. Penalties.

Any person who sells, or presents for sale, an item whose price has been raised while a price freeze was in effect, shall be guilty of a felony, and shall be subject to a penalty of not more than \$10,000 or six months of imprisonment, or both.

Section 5. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 6. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 7. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

DATE: 03/17/98

Introduced by: /s/ (Rep.) Rosiky F. Camacho

/s/ (Rep.) David M. Apatang

/s/ (Rep.) Karl T. Reyes

/s/ (Rep.) Jesus T. Attao

/s/ (Rep.) Heinz S. Hofschneider

/s/ (Rep.) Malua T. Peter

/s/ (Rep.) Melvin L.O. Faisao

Reviewed for Legal Sufficiency:

/s/Stephen Terravecchia