

HOUSE OF REPRESENTATIVES
TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 2000

SEVENTH DAY

February 22, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its Seventh Day, First Regular Session on Tuesday, February 22, 2000, at 1:58 p.m. in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Benigno R. Fitial, Speaker of the House, presided.

A moment of silence was observed.

In accordance with Rule XIII, § 2(a), all eighteen members were present.

Speaker Fitial: A quorum is duly constituted for the Seventh Day of our First Regular Session.

ADOPTION OF JOURNALS

The Chair recognized the Floor Leader.

Floor Leader Babauta: I move for the adoption of the Sixth Day, First Regular Session journal.

The motion was seconded.

Sixth Day, First Regular Session (2/22/00)

There was no discussion raised. The motion to adopt the Sixth Day, First Regular Session journal was carried by voice vote.

Speaker Fitial: The motion carries.

INTRODUCTION OF BILLS

H. B. NO. 12-85: A Bill for an Act to establish a Commission on Judicial Conduct, to hear and adjudicate complaints from the Justices and the Judges of the Commonwealth courts; and for other purposes.

Offered by: Rep. Maria "Malua" T. Peter and nine others

Referred to: Committee on Judiciary and Governmental Operations

H. B. NO. 12-86: A Bill for an Act to amend 2 CMC 1413 by adding a new subsection (c); and for other purposes.

Offered by: Rep. Rosiky F. Camacho and one other
Referred to: Committee on Natural Resources

H. B. NO. 12-87: A Bill for an Act to amend the Public School System Capital Improvement Projects Appropriation Act of 1999 (Public Law 11-89); and for other purposes.

Offered by: Rep. Brigida DLG. Ichihara and two others
Referred to: Committee on Ways and Means

H. B. NO. 12-88: A Bill for an Act to prohibit the foreclosure of a primary family residential; and for other purposes.

Offered by: Rep. Jesus T. Attao
Referred to: Committee on Health and Welfare

H. B. NO. 12-89: A Bill for an Act to amend title 4 CMC of the Commonwealth Code by adding a new Part 3, entitled “Limited Liability Corporations”; and for other purposes.

Offered by: Rep. Oscar M. Babauta
Referred to: Committee on Commerce and Tourism

H. B. NO. 12-90: A Bill for an Act to amend 4 CMC, 7306; and for other purposes.

Offered by: Rep. Benigno R. Fitial
Referred to: Committee on Ways and Means

H. B. NO. 12-91: A Bill for an Act to regulate interest on Commonwealth inter-agency loans; and for other purposes.

Offered by: Rep. Benigno R. Fitial
Referred to: Committee on Ways and Means

INTRODUCTION OF RESOLUTIONS

H. J. R. NO. 12-3: A House Joint Resolution to express our support in taking local control over labor and immigration and to request the United States Congress not to pass Senate Bill 1052.

Offered by: Rep. Norman S. Palacios

Referred to: Committee on Federal and Foreign Relations

MESSAGES FROM THE GOVERNOR

None

SENATE COMMUNICATIONS

None

HOUSE COMMUNICATIONS

None

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

OTHER COMMUNICATIONS

Misc. Comm. 12-7: From Mayor Benjamin T. Manglona commenting on the Free Trade Zone legislation.

Speaker Fitial: I would like to refer that communication to the Committee on Commerce and Tourism.

Rep. Deleon Guerrero: Yes, Mr. Speaker. Mr. Speaker, at this point in time, we are calling a Committee Meeting on Friday, at 1:30 p.m., and we will be deliberating on all the assignments to the Commerce and Tourism Committee.

Speaker Fitial: Miscellaneous Communication 12-7 is from the Mayor of Rota and I think he needs response. Can you handle the response?

Rep. Deleon Guerrero: Yes, Mr. Speaker. At this time, we don't have any response as to 12-7 and like I said...

Speaker Fitial: I am just referring this communication to you for response in the very near future.

Rep. Deleon Guerrero: Okay, Mr. Speaker. In that case, we will consider it and I'll give it to you by this coming Friday.

Speaker Fitial: Thank you.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, I move for the adoption of Standing Committee Report No. 12-12 relative to House Bill No. 12-46.

The motion was seconded.

S. C. R. NO. 12-12: Reporting on House Bill No. 12-046, entitled, "To vacate Section 214 of Executive Order 94-3 to combine the Civil Service Commission with the Office of Personnel Management; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends its passage.*

There was no discussion raised. The motion to adopt Standing Committee Report No. 12-12 was carried by voice vote.

Speaker Fitial: The motion carries. We are down to Item 16, Bill Calendar.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

None

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. Mr. Speaker, I move for the passage on First and Final Reading House Bill No. 12-46.

The motion was seconded.

H. B. NO. 12-46: TO VACATE SECTION 214 OF EXECUTIVE ORDER 94-3 TO COMBINE THE CIVIL SERVICE COMMISSION WITH THE OFFICE OF PERSONNEL MANAGEMENT; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion? Representative Apatang?

Rep. Apatang: Thank you, Mr. Speaker. Just for clarification, if this bill passes the House would the Civil Service Commission be overseer of the personnel office and the appointee for personnel officer?

Speaker Fitial: The Committee on Judiciary and Governmental Operations (JGO), Chairman Jones, there is a question imposed by Representative Apatang regarding House Bill No. 12-46.

Rep. Jones: Can the question be repeated if you don't mind colleague?

Rep. Apatang: Thank you. For clarification purpose of this bill, will the Civil Service Commission be overseer of personnel service system and the commission appoints the director of personnel?

Rep. Jones: Yes, and I would like to give the other portion of the response to the author of the bill.

Speaker Fitial: What is the other portion?

Rep. Jones: The other portion is the appointment.

Speaker Fitial: Well, proceed.

Rep. Peter: Thank you, Mr. Speaker. The answer to both his questions are 'yes', they will be appointed as it used to be. Thank you.

Rep. Apatang: Thank you.

Speaker Fitial: Further discussion? Representative Benavente?

Rep. Benavente: Point of order, Mr. Speaker, unless we've amended the Rules, I believe we need to amend the Rule to suspend the requirements for First and Final Reading. Before we act on this bill, I think we need to suspend the provisions of the Rule.

Speaker Fitial: That is correct. That is why I asked if the motion was for First and Final Reading because if it is, then we must suspend the pertinent rule to allow the deliberation of this House Bill on First and Final Reading. Floor Leader recognized.

Floor Leader Babauta: Mr. Speaker, I so move to suspend Rule VII, Sections 9 and 10 for the passage of House Bill No. 12-46 on First and Final Reading.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. You have to effectuate the motion now because that was only for suspension. So, we need to effectuate a motion for the passage. Floor Leader recognized.

Floor Leader Babauta: So move, Mr. Speaker, for the passage of House Bill No. 12-46.

Speaker Fitial: Discussion?

Rep. Attao: Mr. Speaker, I have question here under discussion.

Speaker Fitial: Discussion on the passage motion?

Rep. Attao: Mr. Speaker, on page 1, “Section 2. Repealer. Section 214 of Executive Order 94-3 is hereby vacated and provisions of law affected by Section 214 is hereby restored”, looking at Executive 94-3, Mr. Speaker, there are two sections that call for under Personnel Management and I would like the legal counsel or probably the author to enlighten the members as to whether or not Section 307 of Executive Order 94-3 is affected?

Speaker Fitial: What is Section 307 of the Executive Order?

Rep. Attao: Section 307, Mr. Speaker, part of it is the Department of Finance under the Procurement provision.

Rep. Peter: Mr. Speaker?

Speaker Fitial: Representative Peter?

Rep. Peter: I would like to request that we go into the Committee of the Whole and ask the legal counsel to respond to that question.

There was no objection raised.

The House resolved into the Committee of the Whole at 2:13 p.m.

COMMITTEE OF THE WHOLE

The House dissolved back to plenary session at 2:18 p.m.

Speaker Fitial: We are now in the plenary session. We are now discussing the motion to pass House Bill No. 12-46 on its First and Final Reading. Ready? Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-46 as follows:

Rep. Martin B. Ada	yes
Rep. David M. Apatang	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Diego T. Benavente	yes

Rep. Antonio M. Camacho	yes
Rep. Rosiky F. Camacho	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Heinz S. Hofschneider	yes
Rep. Brigade DLG. Ichihara	yes
Rep. Dino M. Jones	yes
Rep. Alejo M. Mendiola, Jr.	yes
Rep. Norman S. Palacios	yes
Rep. Thomas B. Pangelinan	yes
Rep. Maria “Malua” T. Peter	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-46 hereby passes the House unanimously.

MISCELLANEOUS BUSINESS

Speaker Fitial: I would like to inform all the members that Monday’s session of the House would be held in Rota -- this has nothing to do with yesterday’s miscellaneous -- so that every one will be given the opportunity to also participate in Rota’s Eco-Tourism Conference. So, the session will be held at Rota Resort at 1:30 p.m., Monday. I am announcing this ahead of time so that everyone will start making arrangements to go to Rota for this session. I still don’t know who will pay – the staffs that will be required to attend this session are the House Clerk of course, the sergeant-at-arms and at least one of the legal counsels. Am I still going to be paying the --? I intentionally mentioned those staffs so you will reconsider what you’ve just said. Anyway, so it is going to be on Monday at 1:30 p.m. at Rota Resort. Thirty minus twenty-nine -- Representative Apatang?

Rep. Apatang: Thank you, Mr. Speaker. I think we have problem with the airlines, I checked for reservation and they are all booked until Monday. So, if the good Vice Speaker can arrange and see if we can all fit on one aircraft.

Speaker Fitial: I think we still have ample time to work out any problem that we may encounter with this scheduled session on Monday.

ANNOUNCEMENTS

The Chair recognized Rep. Jones.

Chairman Jones: This is to remind the members of Natural Resources Committee that we will meet ten minutes after we take recess.

Speaker Fitial: Further announcements? Floor Leader?

Floor Leader Babauta: I move to recess until 10:00 a.m. tomorrow.

The motion was seconded and carried by voice vote.

The House recessed at 2:24 p.m.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk
House of Representatives