

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

SIXTH DAY

August 17, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its Sixth Day, Second Regular Session, on Thursday, August 17, 2000, at 10:31 a.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), seventeen members were present and Representative Thomas B. Pangelinan was excused.

Speaker Fitial: A quorum is duly constituted for the Sixth Day of our Second Regular Session. Representative Pangelinan has informed me that he will not be attending this morning's session, therefore, he is excused.

**ADOPTION OF JOURNALS**

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, I so move for the adoption of the Fifth Day of our Second Regular Session journal.

**Fifth Day, Second Regular Session (8/16/00)**

The motion to adopt the Fifth Day, Second Regular Session journal was seconded and carried by voice vote.

Speaker Fitial: The Fifth Day, Second Regular Session journal is adopted. I would like to commend the Journal Clerk for keeping our journals up to date.

## INTRODUCTION OF BILLS

H. B. NO. 12-251: A Bill for an Act to provide a period of limited immunity for illegal aliens to report themselves to the Department of Labor and Immigration to enable them to become lawfully employed, or to exit the Commonwealth without prosecution, and to provide funding to find those who remain in the Commonwealth after the expiration of this limited immunity; and for other purposes.

Offered by: Rep. Benigno R. Fitial  
Referred to: Committee on Commerce and Tourism

## INTRODUCTION OF RESOLUTIONS

None

## REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, thank you. Before I make any motion, copies of Standing Committee Report No. 12-145 have been distributed to all the members, please, insert it on Item No. 12. With that, Mr. Speaker, I so move for the adoption of Standing Committee Report No. 12-145, reference to House Bill No. 12-54.

S. C. R. NO. 12-145: Reporting on House Bill No. 12-54, entitled, “To amend Title 9 CMC Division 2, to eliminate the registration requirement for bicycles, raise the registration fees for motor vehicles, and require that all cars and trucks display license plates on both the front and rear; and for other purposes.” *Your Committee on Ways and Means recommends passage in the of HB 12-54, CDI.*

Rep. A. Camacho: Mr. Speaker?

Speaker Fitial: Representative Ton Camacho?

Rep. A. Camacho: On the first page under Findings, on the third line, just strike out the word “demand” that is just a typo.

Speaker Fitial: On the Bill?

Rep. A. Camacho: On the Report, page 1, under Item II. Findings, third line, the word “demand”.

Speaker Fitial: The word “demand”.

Rep. A. Camacho: Yes.

Floor Leader Babauta: Ready.

The motion to adopt Standing Committee Report No. 12-145 was seconded and carried by voice vote.

Speaker Fitial: The motion carries.

### **BILL CALENDAR**

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, I move for the suspension of Rule IX, Sections 9 and 10 for the passage on First and Final Reading House Bill No. 12-54, Committee Draft 1.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Passage motion?

Floor Leader Babauta: Mr. Speaker, I so move for the passage on First and Final Reading House Bill No. 12-54, Committee Draft 1.

The motion was seconded.

**H. B. NO. 12-54, CD1:** A BILL FOR AN ACT TO AMEND TITLE 9 CMC DIVISION 2, TO ELIMINATE THE REGISTRATION REQUIREMENT FOR BICYCLES, RAISE THE REGISTRATION FEES FOR MOTOR VEHICLES, AND REQUIRE THAT ALL CARS AND TRUCKS DISPLAY LICENSE PLATES ON BOTH THE FRONT AND REAR; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion? Representative Hofschneider?

Rep. Hofschneider: Thank you, Mr. Speaker. On page 3, you and I share the same concern. I believe we both own an SUV (Sport Utility Vehicle) classification, which to me it exceeds on line 27 categories. The question is, where would we fall under?

Speaker Fitial: Maybe you shouldn't be discussing this so we will be free.

Rep. Hofschneider: That is my reading, but I am afraid that we will be tagged under 7,500 pounds.

Rep. Attao: Mr. Speaker, I think on line 33 that will be the category.

Speaker Fitial: Right. On line 30, the number “(4)” there should be “(5)” because –

Rep. Benavente: Actually, you if you look at... if I may, Mr. Speaker?

Speaker Fitial: Recognized.

Rep. Benavente: If you look on line 24 which number one (1) was deleted the others should be numbered accordingly.

Speaker Fitial: That is right.

Rep. Hofschneider: May we offer a language, Mr. Speaker, on --?

Speaker Fitial: We need number one (1) in there because if we don't have number one (1), bicycles will still be paying. And the intent is to remove the bicycles from paying. Do you want to offer a language to –

Rep. Hofschneider: No. I think we are okay. We are free.

Speaker Fitial: That is my reading.

Rep. Hofschneider: The language has provided the word “or” so we carry, “up to seven passengers or one-half ton” category, which we do not. So we are qualified under seven passengers category.

Speaker Fitial: On page 5, line 20, can we have a clarification, does this mean that provision mean that the registration would only be one time registration?

Rep. A. Camacho: What is the question, again, Mr. Speaker?

Speaker Fitial: On page 5, line 20, “The registration and registration card issued for any such vehicle need not be renewed annually...” – According to our legal counsel, we are trying to pattern a system to the one that is being implemented or practiced in the United States and that is, the card will not be renewed but the fee have to be paid. So, you only get one card for the vehicle and that does not need to be renewed or reissued. In other words, only one time issue but the fee has to be paid every year.

Rep. Hofschneider: Clarification.

Speaker Fitial: State your point of clarification.

Rep. Hofschneider: Relating to your concern, this is pertaining only to government vehicle is it also for private vehicle? Is this restricted only to the government?

Speaker Fitial: No.

Rep. Hofschneider: Subsection 2109, Registration: Government Vehicles, then it goes down to (a) and so forth... and that is where we find our concern on not renewing registration card. So, it is only for government, is that correct, Mr. Speaker?

Speaker Fitial: The intent is to have it applicable to both.

Rep. Hofschneider: Short recess, Mr. Speaker?

Speaker Fitial: Short recess, so we can clarify this. Short recess.

The House recessed at 10:44 a.m.

### RECESS

The House reconvened at 10:49 a.m.

Speaker Fitial: The House shall reconvene. We are still discussing the passage motion on House Bill No. 12-54, Committee Draft 1.

Floor Leader Babauta: Ready.

Speaker Fitial: Ready? Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-54, Committee Draft 1, on First and Final Reading is 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. Brigida DLG. Ichihara	yes
Rep. Dino M. Jones	yes
Rep. Alejo M. Mendiola, Jr.	yes
Rep. Norman S. Palacios	yes



concern about the experience factor since – I would prefer, Mr. Speaker and members, to see that the three years consecutive responsible administrative experience and teaching experience is attributed to experience gained in the Commonwealth simply because we know that a lot of the factors contributing to administrative function is the morale factor. To be accepted by your peers for one to be nominated to be a candidate and if the teachers are not comfortable with the newcomers from outside that is selected to fill that slot under that section, then we are inviting some degree of morale factors, complicating the administrative function of public schools. And we have seen that in the past, even with our own local born candidates themselves. So, I would prefer that the three years gain experience is a nominal requirement. However, at least three years you know the people that you worked with to have gained the confidence to be nominated as a Commissioner. Otherwise, if others feel on the contrary then I would like to listen to their argument.

Speaker Fitial: Representative Benavente?

Rep. Benavente: Thank you. I tend to agree with Representative Hofschneider and I wonder if line item 14, subsection (c) is where the Committee or the author wish to require some kind of a local understanding or knowledge because it does require that this person must be able to speak, write and understand Chamorro/English or Carolinian/English. Does that mean that the qualification is to be able to write and speak Chamorro/Carolinian? The way it is slashed, I wonder --?

Rep. Peter: May I, Mr. Speaker?

Speaker Fitial: Recognized.

Rep. Peter: Must be able to speak, write and understand Chamorro/English or Carolinian/English, it is very clear. The word “or Carolinian/English” it is either you are a Chamorro that speaks and understands English or a Carolinian that speaks and understands English. Maybe I didn’t get that question clearly.

Rep. Benavente: If I may, Mr. Speaker?

Speaker Fitial: Proceed.

Rep. Benavente: Does it mean that you have to be able to speak Chamorro or Carolinian to qualify for the job?

Rep. Peter: Yes.

Rep. Benavente: And if that is the case, I have a question on constitutionality whether or not we can provide such qualification for this position?

Rep. Peter: Mr. Speaker, may I?



Rep. Hofschneider: Thank you. On page 4, line 13, remove the period (.) and add “in the Commonwealth.”

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Further amendment?

Several members voiced, “ready”.

Speaker Fitial: Is it understood that the “and” is already inserted? -- Treated as a typo?

Rep. Peter: Yes.

Speaker Fitial: Ready for the main motion? Roll call?

The Clerk called the roll on the motion to pass House Bill No. 12-158, Committee Draft 1, House Draft 2, on Second and Final Reading is 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. Brigida DLG. Ichihara	yes
Rep. Dino M. Jones	yes
Rep. Alejo M. Mendiola, Jr.	yes
Rep. Norman S. Palacios	yes
Rep. Thomas B. Pangelinan	excused
Rep. Maria “Malua” T. Peter	yes
Rep. Stanley T. Torres	no
Rep. William S. Torres	abstained
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-158, Committee Draft 1, House Draft 2, passes the House on Second and Final Reading. Anymore Bills on the Bill Calendar?

Floor Leader Babauta: None.

## MISCELLANEOUS

The Chair recognized Rep. W. Torres.

Rep. W. Torres: Thank you, Mr. Speaker. I would like to bring before this Body, the needs to reexamine the current scholarship policies as it applies to meeting if not following deadlines for those students who are regular recipients of our scholarship. I have come across a student who has been denied scholarship from meeting a simple day deadline when the deadline happens to fall on a weekend. If I understand it correctly and perhaps Colleague Peter may elaborate, if the deadline for submission of an application falls on a weekend and obviously the government offices closed on weekends and usually, when deadlines fall on weekends then the following week would be an acceptable time to submit applications, much like the April 15<sup>th</sup> deadline of the tax. However, this student was denied on that simple basis. I wonder, Mr. Speaker, that once we have statutes that provides for financial assistance to students and to be denied on that simple basis, to me, it is beyond logic. Perhaps the appropriate committee can look into this and perhaps see what we can do about this so that we don't deny students from the basis of deadline that even the office itself cannot meet by not opening itself on weekends. Thank you.

Speaker Fitial: I would like to request the Committee on Education to look into that concern. I think that is a very serious concern.

Chairwoman Ichihara: I heard about that but definitely, I would probably – get this student in and I will look into that. Thank you.

Speaker Fitial: Representative Peter?

Chairwoman Peter: I was called on that same issue and I tried to call the person responsible for the Scholarship Office. She won't take the request to consider that if the deadline fall on a weekend. But we did mention that they would bring her to court, the applicant would prevail over her decision. If I am not mistaken this is a regulation it is not a statute. And with that, there is also a request for the Education Committee to look into the Teachers Academy Scholarship because a lot of these teachers are here in the CNMI and they are getting more than they need over other students that are off-island and the tuition is \$1,400 and they are only getting \$1,500 and there is no more merit. This is the regulation that has been changed and I was not aware. I was just made aware this morning. The regulations of issuance of the amount of check, there is no more merit to it, when you get higher GPA you get \$2,000 or more. Right now, it is flat \$1,500. I just found that out this morning which is not supposed to be. I think the Education Committee have a lot to do and we will request the Chair to call these people in including the Board, because they changed these things without letting the students know. It is just too bad that they are getting to school and they are just getting their checks. And they are complaining that they would not be able to buy their books because tuition is \$1,400 and this is the only one tuition. I know that is \$1,400 plus

and the books are more than \$500 or \$700. So, they will not be able to buy their books even them being able to pay their tuition. Thank you.

Speaker Fitial: Any further Miscellaneous?

## ANNOUNCEMENTS

The Chair recognized Rep. Rosiky Camacho.

Chairman Rosiky Camacho: Thank you, Mr. Speaker. Due to the urgency of this matter, Mr. Speaker, today, the PUTC and Natural Resources Committees, scheduled a tour to the docking facility, meeting place will be ticketing site down at the Charlie Dock, at 3:00 p.m. Also, this particular House Bill No. 12-250, a public hearing will be set for September 5<sup>th</sup>, at 1:30 p.m. here in the Chamber. That is the announcement from the Committees on Public Utilities, Transportations and Communications, and Natural Resources.

Speaker Fitial: Thank you, Mr. Chairman. Chairman Jones?

Chairman Jones: Judiciary and Governmental Operations Committee meeting tomorrow at 8:30 a.m. Thank you.

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Commerce and Tourism Committee to continue at 1:30 this afternoon.

Speaker Fitial: I have a sad announcement to make. The proposed State of the Commonwealth Address we've planned to invite the Governor to deliver his address this Monday has been indefinitely postponed because the Senate President refused to sign the joint letter to the Governor inviting him to deliver his State of the Commonwealth Address. There are two reasons why the Senate President refused to sign the joint invitation: one of which the Senate would like to include the Washington Representative; and number two, some of them will be going to Japan next week, I was told. So, I did inform the Governor about it yesterday. So, the Senate is looking at sometime in September for the delivery of the State of the Commonwealth Address. So, whenever they feel like it, they will just agree.

Rep. W. Torres: Mr. Speaker, can we get a written report while we wait for the oral?

Speaker Fitial: In fact the Governor told me yesterday that his report had been ready since last June. I told him that we were ready to receive it since last April.

Rep. W. Torres: Can we get the written report?

Speaker Fitial: I will. The copy of the Bill I just introduced on limited immunity, I believe all of us are trying our best to weed out illegal aliens from the Commonwealth. The last Legislature had passed a similar law attempting to get all these illegal legalized, but unfortunately, we still have a lot of illegal aliens in the Commonwealth. So, this Bill would again, give these illegal aliens ninety (90) days to make themselves legal or go back to where they came from without any problem. But this Bill goes further to provide that after ninety (90) days, if these illegal aliens continue to play hard ball then we are going to commission a task force involving DPS and DOLI to go out and weed them out wherever they are and we are going to provide appropriation to accomplish this mission. Hopefully, this time it will work.

Rep. Hofschneider: In line with that, can we request DOLI to give us a report on the effect of the last immunity?

Speaker Fitial: I have already. In fact, I will be making it available to everybody.

Rep. Hofschneider: And their current projection on what they think is the number of illegal aliens?

Speaker Fitial: The other issue that I would like to share with you this morning is, ever since we began the Twelfth Legislature and we started deliberating on this issue -- it is really a serious concern to me -- and that is the Northern Marianas College. I've been asking the Committee to press the college to go back to basic. We have problems with our education, PSS, for not having enough qualified local teachers. We also have problems with our Commonwealth Health Center for not having enough qualified nurses. The college was established during the Second Legislature to just provide those basic needs. Instead, the college has gone beyond the intended mission for which it was originally established during the Second Legislature. So, there is a new foreign investment that is interest to come in and set up a hospital, a medical facility that would provide training for local nurses and also pre-med. So, I hope that our college would learn from this investment. The other issue is – I'll reserve this for tomorrow so I will have something to say tomorrow. Ready? Floor Leader?

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

The motion was seconded and carried by voice vote.

Speaker Fitial: The House stands recess until tomorrow at 10:00 a.m.

The House recessed at 11:25 a.m.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk  
House of Representatives