

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

TWELFTH DAY

August 25, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its Twelfth Day, Second Regular Session, on Friday, August 25, 2000, at 4:45 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), twelve members were present. Representatives Martin B. Ada, David M. Apatang, Jesus T. Attao, Diego T. Benavente, Thomas B. Pangelinan and William S. Torres were excused.

Speaker Fitial: A quorum is duly constituted for the Twelfth Day of our Second Regular Session. All members absent are excused.

ADOPTION OF JOURNALS

None

INTRODUCTION OF BILLS

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Thank you, Mr. Speaker. Today, the Governor signed into Law House Bill No. 12-131 -- the Bill that we initiated recall; however, the Senate fail to go into session to do the same. So in the spirit of cooperation, Mr. Speaker, I met with the Governor yesterday and he agreed to sign the Bill on the basis that we immediately attain to the proposed language or correction, and I am pleased to introduce the Bill as follows: A Bill for an Act to amend 4 CMC § 1708 (b)(1)(iii); and for other purposes. Which will accomplish that, also the Bill has been numbered, H. B. No. 12-258. I believe everyone has a copy. I ask the indulgence of the members, since this is just a technical amendment, if we could place it on today's Calendar for disposal. Thank you.

Rep. Rosiky Camacho: No objection

Speaker Fitial: So ordered.

H. B. NO. 12-258: A Bill for an Act to amend 4 CMC § 1708 (b)(1)(iii); and for other purposes.

Offered by: Rep. Heinz S. Hofschneider

H. B. NO. 12-159: A Bill for an Act to amend 1 CMC Division 6, by adding a new section 6433; and for other purposes.

Offered by: Rep. Dino M. Jones

Referred to: Committee on Judiciary and Governmental Operations

INTRODUCTION OF RESOLUTIONS

H. R. NO. 12-77: A House Resolution to honor the late Honorable Henry Untalan Hofschneider for his many years of dedication to the people of the Commonwealth of the Northern Mariana Islands and CNMI Public School System.

Offered by: Rep. Norman S. Palacios and seventeen others

Speaker Fitial: If there is no objection, I would like to place that subject resolution on today's Resolution Calendar.

Floor Leader Babauta: No objection.

Speaker Fitial: Thank you.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Floor Leader Babauta: All members have copies of Standing Committee Report Nos. 12-155 and 12-156, please insert on Item No. 12. With that, Mr. Speaker, I so move for the adoption of Standing Committee Report Nos. 12-155, reference to House Bill No. 12-246, Committee Substitute 1, and 12-156, reference to House Bill No. 12-208, Committee Draft 1.

S. C. R. NO. 12-155: Reporting on House Bill No. 12-246, entitled, "To make appropriations and activities of the Government of the Commonwealth of the Northern Mariana Islands, its agencies, instrumentalities, and independent programs, and to provide

budget authority for Government Corporations for Fiscal Year 2001; and for other purposes. *Your Committee on Ways and Means recommends passage in the form of HB 12-246, CS1.*

S. C. R. NO. 12-156: Reporting on House Bill No. 12- 208, entitled, “To provide for the licensing and regulation of finance companies, other than banks, making consumer loans; and for other purposes. *Your Committee on Commerce and Tourism recommends passage in the form of HB 12-208, CD1.*

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries.

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, I move for the suspension of Rule VII, Section 9 so that we may adopt House Resolution No. 12-77.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Adoption?

Floor Leader Babauta: So move, Mr. Speaker, for the adoption of House Resolution No. 12-77

H. R. NO. 12-77: A HOUSE RESOLUTION TO HONOR THE LATE HONORABLE HENRY UNTALAN HOFSCHEIDER FOR HIS MANY YEARS OF DEDICATION TO THE PEOPLE OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS AND CNMI PUBLIC SCHOOL SYSTEM.

The motion was seconded and carried by voice vote.

Speaker Fitial: House Resolution No. 12-77 is adopted.

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, so move for the suspension of Rule VII, Section 9, and Rule IX, Sections 9 and 10 for the placement and passage on First and Final Reading House Bill No. 12-258.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. House Bill No. 12-258 is hereby placed on today's Bill Calendar for First and Final Reading. Passage motion?

Floor Leader: Mr. Speaker, I so move again for the suspension of Rule IX, Sections 9 and 10 for the passage on First and Reading House Bill Nos. 12-246, Committee Substitute 1, and 12-208, Committee Draft 1.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Passage motion?

Floor Leader Babauta: So move, Mr. Speaker, for the passage on First and Final Reading House Bill No. 12-246, Committee Substitute 1.

H. B. NO. 12-246, CS1: A BILL FOR AN ACT TO MAKE APPROPRIATIONS AND ACTIVITIES OF THE GOVERNMENT OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, ITS AGENCIES, INSTRUMENTALITIES, AND INDEPENDENT PROGRAMS, AND TO PROVIDE BUDGET AUTHORITY FOR GOVERNMENT CORPORATIONS FOR FISCAL YEAR 2001; AND FOR OTHER PURPOSES.

There was no discussion raised.

The Clerk called the roll on the motion to pass House Bill No. 12-246, CS1 on First and Final Reading as follows:

Rep. Martin B. Ada	excused
Rep. David M. Apatang	excused
Rep. Jesus T. Attao	excused
Rep. Oscar M. Babauta	yes
Rep. Diego T. Benavente	excused
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.	abstained
Rep. Norman S. Palacios	yes abstained
Rep. Thomas B. Pangelinan	excused
Rep. Maria "Malua" T. Peter	yes
Rep. Stanley T. Torres	yes

Rep. William S. Torres	excused
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-246, Committee Substitute 1, passes the House on First and Final Reading. Floor Leader?

Rep. Palacios: Mr. Speaker, can I withdraw my vote?

Floor Leader Babauta: No objection, Mr. Speaker.

Speaker Fitial: If no objection.

There was no objection raised.

Rep. Palacios: Mr. Speaker, I vote “abstained”.

Speaker Fitial: With that, the new vote did not change the result. So the result is still the same. House Bill No. 12-246, CS1, passes the House on First and Final Reading, 10 voting affirmatively, and 2 abstentions. Because the Rule says that the abstention goes to the prevailing, so your vote is still “yes”.

Rep. Palacios: I know.

Rep. Hofschneider: Technically, it is 12-0, right?

Speaker Fitial: Technically, because of our Rules. But the journal will reflect that there are two abstentions.

Rep. Palacios: Mr. Speaker?

Speaker Fitial: Go ahead.

Rep. Palacios: One thing I’m glad to see is that, the Education gets a lot of money at this time, as well as hospital and the college. My reason for abstained is that, the funding for Tinian is not enough and that is why I “abstained”.

Speaker Fitial: Floor Leader, next passage motion?

Floor Leader Babauta: So move, Mr. Speaker, for the passage on First and Final Reading House Bill No. 12-208, CD1.

The motion was seconded.

H. B. NO. 12-208, CD1: A BILL FOR AN ACT TO PROVIDE FOR THE LICENSING AND REGULATION OF FINANCE COMPANIES, OTHER THAN BANKS, MAKING CONSUMER LOANS; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Rep. Hofschneider: Just for a clarification.

Speaker Fitial: Okay. State your point of clarification, Representative Hofschneider.

Rep. Hofschneider: We are talking about small financial lending institutions?

Speaker Fitial: Yes, we are talking about the likes of Friendly Finance.

Rep. Hofschneider: Banks are excluded under § 6981?

Speaker Fitial: Yes.

Rep. Hofschneider: Ready.

Speaker Fitial: Ready? Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-208, CD1, on First and Final Reading as follows:

Rep. Martin B. Ada	excused
Rep. David M. Apatang	excused
Rep. Jesus T. Attao	excused
Rep. Oscar M. Babauta	yes
Rep. Diego T. Benavente	excused
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	yes
Rep. William S. Torres	excused
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-208, Committee Draft 1, passes the House on First and Final Reading. Floor Leader?

Floor Leader Babauta: I now move for the passage on First and Final Reading House Bill No. 12-258.

H. B. NO. 12-258: A BILL FOR AN ACT TO AMEND 4 CMC § 1708 (b)(1)(iii); AND FOR OTHER PURPOSES.

There was no discussion raised.

The Clerk called the roll on the motion to pass House Bill No. 12-258 on First and Final Reading as follows:

Rep. Martin B. Ada	excused
Rep. David M. Apatang	excused
Rep. Jesus T. Attao	excused
Rep. Oscar M. Babauta	yes
Rep. Diego T. Benavente	excused
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	yes
Rep. William S. Torres	excused
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-258, passes the House on First and Final Reading. Anymore bills on the Calendar?

Floor Leader Babauta: None, Mr. Speaker.

Speaker Fitial: I believe at this time, I would like to recognize Representative Jones to introduce a recipient of our Commemorative Resolution.

Rep. Jones: Can we take two minutes break and I’ll call them in? *Siña tufan recess ha for two minutes?*

Speaker Fitial: Short recess.

The House recessed at 5:00 p.m.

RECESS

The House reconvened at 5:05 p.m.

Speaker Fitial: The House shall reconvene. Representative Jones?

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Thank you, Mr. Speaker. Mr. Speaker, since Chairman Jones wishes to officially introduce a Resolution to a recipient, I move to resolve into the Committee of the Whole so we may allow Representative Jones to introduce a resolution.

Speaker Fitial: I thought that the Resolution has already adopted by this House? We are only going to present.

Floor Leader Babauta: Yes. And my motion is to resolve into the Committee of the Whole so we may allow him to do the presentation.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries.

The House resolved into Committee of the Whole at 5:07 p.m.

COMMITTEE OF THE WHOLE

The House reconvened back to the plenary session at 5:12 p.m.

MISCELLANEOUS BUSINESS

Speaker Fitial: I just want to – the Bill the Representative Hofschneider introduced and we passed. One old man came in -- I met him at the entrance. He lives not too far away from here, and I asked him, “do you need help?” He said, “No. I just came out from meeting with Representative Jones”. -- Because the government is asking him to pay tax on the land that he sold. He said, “You know, this is an exchanged land. If the government exchanged my land, land to land, there is no tax. But when the government exchange my land with compensation, gave me money for my land then there is tax.” So, what is the difference?

Floor Leader Babauta: That is the inequity, Mr. Speaker, that we have just corrected it.

Speaker Fitial: I just want to point that out. That is the essence of the Bill that we just passed. That was Mr. Cabrera, Tun Goru-Esco. Representative Jones, I did not talk to you about this matter. He was very concerned when he walked out of your office that day. So, what we just did proves to be working.

Rep. Hofschneider: Thank you, Mr. Speaker and members.

Speaker Fitial: Any further Miscellaneous before we go into Announcements? – None.

ANNOUNCEMENTS

The Chair recognized Rep. A. Camacho.

Chairman A. Camacho: Thank you, Mr. Speaker. The Precinct I delegation is proud to invite you guys to Laulau Beach to see the progress report on the status of the adopted Laulau Beach for the people to go there Saturdays and Sundays for their recreation – it is clean already. All we need now is to put up tangan-tangan hut.

Speaker Fitial: Any committee announcements? Chairman Rosiky Camacho?

Chairman Rosiky Camacho: Mr. Speaker, *hu tungo-ha na bula para u'fan hanao para Tinian gi* Monday – at 1:30 p.m., PUTC will be meeting to discuss very important bills and also future public hearings, HB 12-123 (Fresh Water Catchment) and HB 12-250 (Marina) and the Public Hearing will be at 1:30 p.m. House Bill No. 12-226 (The Electronic Signature) Public Hearing on September 11, at 1:30 p.m. And also to have discussion and probably finalization of the traffic situation that we do obtained from the past two meetings from the respective departments. So, the PUTC Committee asks that your presence is needed for the completion of this agenda. Thank you.

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Do we have a consensus whether or not to continue session on Monday or Tuesday, because of the funeral? I understand that most of the members would like to attend.

Speaker Fitial: The funeral mass is scheduled for 2:00 p.m. So, it is the pleasure of the Body of the House. Should we meet in the morning Monday or we just recess until Tuesday morning?

Floor Leader Babauta: Tuesday morning.

Speaker Fitial: Okay.

Floor Leader Babauta: So move, Mr. Speaker, recess until Tuesday morning.

Speaker Fitial: Before I recognize the motion, Representative Jones, has an announcement.

Chairman Jones: The Natural Resources Committee will be having a Public Hearing next week Friday instead of Thursday, as recommended by the Floor Leader. Because Friday is my Public Hearing date, to hear testimony on the land lock bill and House Bill No. 12-257, which has to do with Marianas Public Lands. It has been moved from Thursday to Friday, next week in Rota.

Speaker Fitial: The Public Lands, is that the joint public hearing with PUTC?

Chairman Jones: No.

Speaker Fitial: When is that, if I may ask?

Floor Leader Babauta: The Public Lands Bill that Representative Jones is conducting, was the recently introduced Bill by the Vice Speaker.

Speaker Fitial: What about the public land fiasco Bill?

Floor Leader Babauta: Disallowing certain activities within CPA. That is different.

Speaker Fitial: September 5th, is the Grand Opening of the Kagman –

Chairwoman Ichihara: (*Inaudible*)

Speaker Fitial: *Etyu Kagman* that is on Friday, right?

Rep. Hofschneider: Grand Opening.

Speaker Fitial: Friday, September 1st, Grand Opening of Kagman Elementary School. Floor Leader?

Floor Leader Babauta: So move to recess, Mr. Speaker, until Tuesday morning at ten o'clock.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. The House stands recess until Tuesday at 10:00 a.m.

The House recessed at 5:18 p.m.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk
House of Representatives