

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

SIXTEENTH DAY

September 05, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its Sixteenth Day, Second Regular Session, on Tuesday, September 05, 2000, at 10:48 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 Diego T. Benavente is excused.

Speaker Fitial: Representative Benavente is excused. A quorum is duly constituted for the Sixteenth Day of our Second Regular Session.

ADOPTION OF JOURNALS

The Chair recognized the Floor Leader.

Floor Leader Babauta: So move for the adoption of the Tenth and Eleventh Days, Second Regular Session journals.

The motion was seconded.

10th & 11th Days, Second Regular Session (8/23-24/00)

There was no discussion raised.

The motion to adopt the Tenth and Eleventh Days, Second Regular Session journals was carried by voice vote.

Speaker Fitial: The motion carries.

INTRODUCTION OF BILLS

H. B. NO. 12-268: A Bill for an Act to provide for the grounds maintenance of public parks and tourist sites; and for other purposes.

Offered by: Rep. Antonio M. Camacho and three others
Referred to: Committee on Judiciary and Governmental Operations

INTRODUCTION OF RESOLUTIONS

None

MESSAGES FROM THE GOVERNOR

Gov. Comm. 12-77 – September 1, 2000 – Informing the Legislature that he disapproved House Bill No. 12-3 (re. Subdivisions: Right of way).

Gov. Comm. 12-78 – September 1, 2000 – Informing the Legislature that he signed House Bill No. 12-84, HD1 (Minor Children Firearms Control Act) into **Public Law 12-17**.

There was no discussion raised.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, earlier a copy has been distributed that reflects Standing Committee Report No. 12-160, reference to Senate Bill No. 12-4. With that, Mr. Speaker, so move for the adoption of Standing Committee Report No. 12-160.

The motion was seconded.

S. C. R. NO. 12-160: Reporting on Senate Bill No. 12-4, entitled, “To adopt the Uniform Comparative Fault Act; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends passage of the bill.*

Speaker Fitial: Discussion?

Several members voiced, “ready”.

The motion to adopt Standing Committee Report No. 12-160 was carried by voice vote.

Speaker Fitial: The motion carries.

RESOLUTION CALENDAR

None

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 Senate Bill No. 12-4, reference to Senate Bill No. 12-4.

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, Senate Bill No. 12-4.

The motion was seconded.

S. B. NO. 12-4: TO ADOPT THE UNIFORM COMPARATIVE FAULT ACT; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion? Representative Hofschneider?

Rep. Hofschneider: Can we have a one-minute recess? Maybe one of the counsels can just summarize what are we trying to accomplish here?

Speaker Fitial: One-minute recess.

The House recessed at 10:55 a.m.

RECESS

The House reconvened at 11:11 a.m.

Speaker Fitial: The House shall reconvene. We are discussing the passage motion on Senate Bill No. 12-4.

Several members voiced, “ready”.

Speaker Fitial: Roll call.

The Clerk called the roll on the motion to pass Senate Bill No. 12-4 on First and Final Reading 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 | 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 | yes |
| Rep. Maria “Malua” T. Peter | yes |
| Rep. Stanley T. Torres | yes |
| Rep. William S. Torres | yes |
| Speaker Benigno R. Fitial | yes |

Speaker Fitial: Senate Bill No. 12-4 passes the House on First and Final Reading. Anymore? Miscellaneous.

MISCELLANEOUS BUSINESS

The Chair recognized Rep. Peter.

Chairwoman Peter: Mr. Speaker, I want to extend *un dangkulu na si yu’us ma’ase* to our staff who prepared the place and food for the Labor Day celebration on Sunday on behalf of the House. Thank you.

Speaker Fitial: Thank you.

Chairman Palacios: Mr. Speaker?

Speaker Fitial: Representative Palacios?

Chairman Palacios: Mr. Speaker, I have a statement here – Mr. Speaker, distinguished colleagues, ladies and gentlemen: With the indulgence of my colleagues, I would like to submit for inclusion in today’s journal, two articles [*see attached Appendix A and B*] which were published recently in the New York Times pertaining to foreign or immigrant workers in the US mainland. So it is understood, it is known here as “alien or guest” workers. The story uses new figures from the US Bureau of Labor and Statistics demonstrating the number of immigrant workers jumping to 15.7 million last year. Immigration analysts estimate that nearly 5 million of these workers are illegal immigrants. Immigrants are now a critical part the labor force across the country. Today, software companies, farmers, hotels and other employers desperate for workers are pressing Congress to enact a legislation that would admit hundreds of thousands of additional immigrants each year. Interestingly, the state of Iowa now seeks to be the Ellis Island of the Midwest. In fact, Iowa is proposing no other state has done: an all-out immigrant recruitment drive. The proposal intends to make Iowa what the governor’s commission call “Immigration Enterprise Zone”. The approach is to seek exemption on federal immigration quotas, an unprecedented request that would require congressional action. In the case of Iowa, the drive for more foreign workers was prompted by brain drain it could not replace. New perks and benefits are being offered to encourage their people’s return without success. While old jobs continue to increase in the old economy, new ones have sprung-up by the thousands in the so-called “new economy” brought forth by information technology. So what’s my point? It’s the economy that dictates the number of foreign workers be it in the US mainland or on this side of the Pacific Ocean. This isn’t a difficult equation and our detractors must be put on notice that their protectionist arguments have just about run out of fuel. I am sure many states in the union would be knocking on the doors of the US Congress for more migrant or foreign workers. Again, this is an issue that is driven solely by the state of the economy, no more, no less. Detractors must soundly refrain from any further promotion of their hypocritical glass house syndrome. Si Yu’us Ma’ase.

Speaker Fitial: That is very interesting. I have been communicating with Microsoft Corporation, because Microsoft Corporation as well as the other giant software corporations in the United States are experiencing difficulty in the shortfall of their skilled programmers. There is a pending legislation in the US Congress to increase the quota for H-1, H-2 workers, but the likelihood of that legislation being passed is very, very slim. The US Congress is in no position to continue increasing the quota of H-1, H-2 visa workers. So, that is one of the fortunate things I would say, that we could have, is, we have the ability to bring in guest workers so we could be an attractive place for these software companies to venture. That is a very interesting article, Chairman. Further Miscellaneous before we proceed to Announcements? Representative Pangelinan?

Rep. Pangelinan: Thank you, Mr. Speaker and colleagues. It is good to know and good to see our colleague is back in action, Representative Jess Attao, we welcome him back. Can we give him a round of applause? (Applause)

Rep. Attao: Thank you, Representative Pangelinan.

Speaker Fitial: For those of you who don't know what our colleague went through this past weeks, he had three cervical removed from his spine.

Rep. Hofschneider: Contributory negligence.

Speaker Fitial: And three also were implanted and screwed on to his spine. The miracle of all these things is that he got out of that operation without any pain and he hasn't taken any pain medication because he is not feeling any pain. He told somebody at the hospital that he did not have anymore toil seen so he is saved only venue. Chairwoman Ichihara?

Chairwoman Ichihara: Thank you, Mr. Speaker. Just would like to share or maybe ask help from the other colleagues, today is the opening of the First Day of Kagman Elementary School – there's a parent that visited us this morning and my Committee Assistant is trying to get in touch with Public Works – because where the students comes out to walk home there's a lot of over growth and it needs clearance. Like I said, this moment we were trying to get in touch with Public Works, but when I went out there before we started, it was very hard to get through the line. So, if they can at least clear the pathway for the students instead of walking on the road that they would have access inside to walk –

Floor Leader Babauta: Shoulder.

Chairwoman Ichihara: Yes. So, please if you have other connections I would appreciate your help for the students at Kagman at this present time. Thank you.

Rep. Hofschneider: Mr. Speaker?

Speaker Fitial: Representative Hofschneider?

Rep. Hofschneider: It is a good feeling that finally Kagman Elementary School has come to full issue. Kagman Elementary School started in the Eighth Legislature and I believe Representative Torres, the former Commissioner of Education, can attest that in the Eighth Legislature, Mr. Speaker, we provided the initial funding of Four Million Dollars (\$4,000,000.00) that was through the Covenant Funding when Stella Guerra was still in Office; and resulting from the negotiation between the Legislature and former Governor Guerrero for the UMDA Land Lease anticipating to build the landfill. It freed up the Four Million Dollars from the Covenant Funding and that is the initial seed money for Kagman Elementary School. It is a good eight years, almost ten years (10) to finally realize. All

along we were right about the population growth in Kagman and I hope the High School and Junior High School can proceed as planned.

Speaker Fitial: I just want to share something really funny. During the First CNMI Constitutional Convention, I was tasked to determine the boundary of the precincts, so, I Chaired the Ad Hoc Committee. Dr. Camacho was a member because he was the Chairman of the Democratic Party and he wants to assure that the Democrats are also well represented in that apportionment or districting. So, it is so funny because both of us, we never thought that Kagman would grow. We know that it will grow eventually, but not as rapidly as it did. So, we only placed two representatives in that precinct, Precinct I, because San Antonio was very small population and San Vicente, 98 Democrats and 15 Republicans at that time.

Rep. Hofschneider: But the two is still sufficient for the –

Speaker Fitial: You know it is very funny because we never anticipated that Kagman or Precinct I for that matter would really grow this rapid. But the Junior High School will be constructed right South of the Elementary School then the new High School will be constructed right behind it. So that place is going to really become a main street.

Rep. Hofschneider: Just a recognition, Mr. Speaker, for the former Speaker Pete Deleon Guerrero in the gallery and he is also a supporter of Kagman Elementary School back then. Thank you.

Speaker Fitial: Representative Lee Torres?

Rep. W. Torres: I was going to recognize the former Speaker, himself, he was a champion also of the Kagman School project along with Representatives Hofschneider and Attao. On the issue of assistance for the grass – off ground, I strongly recommend which we have been doing in the past to ask the next door neighbor, the golf course, to be the adopted partner for that school so that they can utilize the equipment that they have, not to mention the landscaping capability of the golf course. That would eliminate, I think Public Works from this issue. Public Works is so overworked and I have some pending things with them. I think going private is probably about the best solution for this part.

Rep. Apatang: Very good idea.

Speaker Fitial: We are having a Joint Session on Friday, so, like Representative Hofschneider earlier alluded to, Laulau Bay will be at the right place at the wrong time on Friday.

Rep. Hofschneider: Right time wrong place *pago*.

ANNOUNCEMENTS

Speaker Fitial: I would like to remind everybody that on Thursday, September 7, all the designated Precinct Representatives to meet with the legal counsel together with the Youth Congress Administrator Officer here in the Chamber. Okay. Anymore announcements? Chairman Rosiky Camacho?

Chairman Rosiky Camacho: Reminder, Mr. Speaker, today is the Public Hearing on House Bill No. 12-250, something to do with the safety of the boats. And in line with that, Mr. Speaker, I was trying to figure out, is that a sign of time of having this wind coming from the north to test the seaport and the other port? Just for a thought.

Speaker Fitial: Interesting that the name of the Typhoon is “Saomai”, it is Carolinian. So, it has to do with the port. Really that is the name of the Typhoon and it is expected to be here before the hearing.

Chairman Rosiky Camacho: That is the time to go down and witness the waves, Mr. Speaker.

Rep. Hofschneider: So, Carolinian... – what is the meaning in Carolinian?

Speaker Fitial: Smooth sailing. Anymore announcements? Chairman Jones?

Chairman Jones: Judiciary and Governmental Operations Committee Public Hearing this Thursday at 8:30 a.m.

Speaker Fitial: That is it? We are having a Joint Session this Friday at 9:00 a.m.

Chairman Jones: At 2:00 p.m. Judiciary and Governmental Operations Committee Public Hearing this Friday.

Speaker Fitial: Floor Leader?

Floor Leader Babauta: So move, Mr. Speaker, recess until tomorrow morning at eleven o'clock.

The motion was seconded and carried by voice vote.

Speaker Fitial: The House stands recess until tomorrow at 11:00 a.m.

The House recessed at 11:27 a.m.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk
House of Representatives