

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

TWENTY-SECOND DAY

October 13, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its Twenty-Second Day, Second Regular Session, on Friday, October 13, 2000, at 4:14 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), fifteen members were present. Representatives Diego T. Benavente, Thomas B. Pangelinan and William S. Torres were excused.

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

ADOPTION OF JOURNALS

None

INTRODUCTION OF BILLS

H. B. NO. 12-285: A Bill for an Act to extend the privilege of having nonresident workers with special skills and qualification hard-to-fill vacant positions within the CNMI Government by repealing and reenacting 3 CMC, Section 4434; and for other purposes.

Offered by: Rep. Maria "Malua" T. Peter

H. L. B. NO. 12-17: A Local Bill for an Act to appropriate \$276,000 on the fees collected on Saipan Local Law 11-2; and for other purposes.

Offered by: Rep. Jesus T. Attao

INTRODUCTION OF RESOLUTIONS

H. R. NO. 12-86: A House Resolution to relocate, compensate and render long term health services and benefits to the former and current residents of Tanapag Village that were contaminated with PCB.

Offered by: Rep. Dino M. Jones

H. R. NO. 12-87: A House Resolution respectfully requesting the Governor to re-designate public land lot 018-G-03 from its current designation as an Agricultural area assigned to the Department of Lands and Natural Resources to the Public School System as the site for the new Kagman High School.

Offered by: (Committee on Education) Rep. Brigida DLG. Ichihara and ten other

H. R. NO. 12-88: A House Resolution to urgently and respectfully request the Honorable Governor Pedro P. Tenorio, the CUC Executive Director, Mr. Timothy P. Villagomez and the Chairman of the CUC Board of Directors, Mr. Jesus T. Guerrero to expedite the RFP for the construction of the water tank reservoirs in China Town and Chalan Laulua area.

Offered by: Rep. Jesus T. Attao

MESSAGES FROM THE GOVERNOR

Gov. Comm. 12-83 – October 12, 2000 – Informing the Legislature that he signed House Bill No. 12-149, (\$100k reappropriation for As Matuis & San Roque Basketball Courts), into **Public Law 12-22**.

Gov. Comm. 12-84 – October 12, 2000 – Informing the Legislature that he signed House Bill No. 12-188, HD1, (Tinian Supplemental CIP Appropriations Act of 2000), into **Public Law 12-23**.

Gov. Comm. 12-85 – October 12, 2000 – Informing the Legislature the he signed House Bill No. 12-100, HD1, SD2, HD2, (Reappropriation of \$131,459.04 for Waterline installation in Precinct I), into **Public Law 12-24**.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, the Committee Reports have been passed out and I ask the indulgence of the members to place it on the Calendar, Standing Committee Report Nos. 12-173, 12-174, 12-175 and with that, Mr. Speaker, so move for the adoption.

The motion was seconded.

S. C. R. NO. 12-173: Reporting on House Bill No. 12-15, entitled, “To amend 4 CMC, Division 10, Section 10203 by adding a new subsection (35) to authorize the issuance of a construction performances bond for government projects to construction companies wholly owned or controlled by U. S. citizens and to accept leasehold interest or other security equal to the total project cost in lieu of each cash premium payment; and for other purpose.” *Your Committee on Ways and Means recommends that the bill be passed in the form of HB 12-15, CDI.*

S. C. R. NO. 12-174: Reporting on House Bill No. 12-42, entitled, “To enable the Division of Revenue and Taxation to closely monitor all taxable transfers of real estate in order to facilitate collection of the business gross revenue tax upon transfers of all certain CNMI real property interests and to prevent loss of tax revenue due to non-compliance; and for other purposes.” *Your Committee on Ways and Means recommends filing of the bill.*

S. C. R. NO. 12-175: Reporting on House Bill No. 12-231, entitled, “To amend Title 1, Div. 8, Part 3, Chapter 7, §8402; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the bill be passed in the form of HB 12-231, CDI.*

Speaker Fitial: Discussion?

Several members voice, “ready”.

The motion to adopt Standing Committee Report Nos. 12-173, 12-174 and 12-175 was carried by voice vote.

Speaker Fitial: The motion carries.

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, if I may ask the Chair to skip Item 15 while we make copies and go down to Item 16 so I can make the necessary motion for suspension.

Speaker Fitial: No objection?

There was no objection raised.

Speaker Fitial: Bill Calendar.

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: So move, Mr. Speaker, for the suspension of Rule VII, Section 9 and Rule IX, Sections 9 and 10 for the placement and passage of the following: House Bill Nos. 12-15, 12-42, and 12-231.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. We have under Bill Calendar for First and Final Reading House Bill Nos. 12-15, 12-42 and 12-231.

Floor Leader Babauta: Clarification, Mr. Speaker.

Speaker Fitial: Floor Leader?

Floor Leader Babauta: House Bill Nos. 12-15 and 12-231.

Speaker Fitial: House Bill 12-15?

Floor Leader Babauta: Yes, Mr. Speaker.

Speaker Fitial: And House Bill 12-231? What about House Bill 12-42?

Floor Leader Babauta: It has been adopted, Mr. Speaker.

Speaker Fitial: We have Committee Report No. 12-174 and that was included in the motion to adopt.

Floor Leader Babauta: The Committee Report, Mr. Speaker.

Speaker Fitial: I see. Right, that has been adopted. I now recognized the Floor Leader for passage motion.

Floor Leader Babauta: Mr. Speaker, thank you. Mr. Speaker, I move for the passage on Second and Final Reading House Bill No. 12-275, House Substitute 1.

The motion was seconded.

H. B. NO. 12-275, HS1: A BILL FOR AN ACT TO AMEND CERTAIN PROVISIONS OF ARTICLE 4, DIVISION 4 OF TITLE 3 RELATING TO NONRESIDENT WORKER EMPLOYMENT CONTRACTS AND PROCEDURES; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Rep. Hofschneider: Do we have the amendment, Mr. Speaker?

Speaker Fitial: I believe that Bill has been amended for consideration on Second and Final Reading today, because as you recall, we passed it on First Reading last session.

Rep. Hofschneider: Under what Standing Committee Report?

Speaker Fitial: Yes, it is coming.

Rep. Hofschneider: Okay. Ready.

Speaker Fitial: Roll call. --

Floor Leader Babauta: Clarification, Mr. Speaker.

Speaker Fitial: State your point of clarification.

Floor Leader Babauta: If I may restate my motion, passage on Second and Final Reading House Bill No. 12-275, House Substitute 1.

Speaker Fitial: We are voting on the motion to pass on Second and Final Reading House Bill No. 12-275, House Substitute 1. Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-275, HS1, on Second and Final Reading as follows:

Rep. Martin B. Ada	excused
Rep. David M. Apatang	excused
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. Hofschneider: Mr. Speaker, I like what I am seeing in terms of the substitute. It is cut flat footed without ample time to read through. I like what I am seeing in terms of the substitute.

Speaker Fitial: The amendments are those we discussed thoroughly during the last session and have agreed to incorporate in the House Substitute version and this is exactly what we are now considering and voting on.

Rep. Hofschneider: Yes. Applicable minimum is what I'm looking for, "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	excused
Rep. William S. Torres	excused
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-275, House Substitute 1, passes the House on Second and Final Reading. Next, Floor Leader?

Floor Leader Babauta: Mr. Speaker, if there is no objection from the members, can we go back to Item 12 for the three remaining Committee Reports for adoption, please?

There was no objection raised.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. The copies have been passed out, so move for the adoption of Standing Committee Report Nos. 12-176, 12-177 and 12-178.

The motion was seconded.

S. C. R. NO. 12-176: Reporting on House Bill No. 12-59, entitled, "To amend appropriate Two Hundred Fifty Six Thousand Six Hundred Thirty Six Dollars (\$256,636.00) from fund balances from Public Law Nos. 9-1 and 10-38; and for other purposes." *Your Committee on Ways and Means recommends that the bill be passed in the form of HB 12-59, CSI.*

S. C. R. NO. 12-177: Reporting on House Bill No. 12-279, entitled, “To repeal and re-enact Public Law 11-79 Section 6 (c) (2); and for other purposes.” *Your Committee on Ways and Means recommends that the House passed the bill.*

S. C. R. NO. 12-178: Reporting on House Bill No. 12-282, entitled, “To repeal and reenact Section 1 of Public Law 12-7; and for other purposes.” *Your Committee on Ways and Means recommends that the House passed the bill.*

Speaker Fitial: Discussion?

Several members voiced, “ready”.

The motion to adopt Standing Committee Report Nos. 12-176, 12-177 and 12-178 was carried by voice vote.

Speaker Fitial: The motion carries.

Floor Leader Babauta: Mr. Speaker, back to Resolution Calendar.

Speaker Fitial: Okay. Back to Item 15.

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 Nos. 12-87 and 12-88 and the inclusive of House Resolution No. 12-86.

The motion was seconded.

Rep. Martin B. Ada came in at 4.25 p.m.

Speaker Fitial: Clerk, let the record show that Representative Martin B. Ada is present.

The motion to suspend Rule VII, Section 9 for the adoption of House Resolution Nos. 112-86, 12-87 and 12-88 was carried by voice vote.

Speaker Fitial: The motion carries. Adoption motion?

Floor Leader Babauta: So move, Mr. Speaker, for the adoption of House Resolution Nos. 12-86, 12-87 and 12-88.

The motion was seconded.

H. R. NO. 12-86: A HOUSE RESOLUTION TO RELOCATE, COMPENSATE AND RENDER LONG TERM HEALTH SERVICES AND BENEFITS TO THE FORMER AND CURRENT RESIDENTS OF TANAPAG VILLAGE THAT WERE CONTAMINATED WITH PCB.

H. R. NO. 12-87: A HOUSE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR TO RE-DESIGNATE PUBLIC LAND LOT 018-G-03 FROM ITS CURRENT DESIGNATION AS AN AGRICULTURAL AREA ASSIGNED TO THE DEPARTMENT OF LANDS AND NATURAL RESOURCES TO THE PUBLIC SCHOOL SYSTEM AS THE SITE FOR THE NEW KAGMAN HIGH SCHOOL.

H. R. NO. 12-88: A HOUSE RESOLUTION TO URGENTLY AND RESPECTFULLY REQUEST THE HONORABLE GOVERNOR PEDRO P. TENORIO, THE CUC EXECUTIVE DIRECTOR, MR. TIMOTHY P. VILLAGOMEZ AND THE CHAIRMAN OF THE CUC BOARD OF DIRECTORS, MR. JESUS T. GUERRERO TO EXPEDITE THE RFP FOR THE CONSTRUCTION OF THE WATER TANK RESERVOIRS IN CHINA TOWN AND CHALAN LAULUA AREA.

Speaker Fitial: Discussion?

Several members voiced, “ready”.

The motion to adopt House Resolution Nos. 12-86, 12-87 and 12-88 was carried by voice vote.

Speaker Fitial: The motion carries.

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. Suspension motion, Mr. Speaker, so that we may include the three remaining bills on today’s Calendar. I move for the suspension of Rule VII, Section 9 and Rule IX, Sections 9 and 10 so we may place and pass House Bill No. 12-59, 12-279 and 12-282 on First and Final Reading.

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. 12-15.

The motion was seconded.

H. B.NO. 12-15, CD1: A BILL FOR AN ACT TO AMEND 4 CMC, DIVISION 10, SECTION 10203 BY ADDING A NEW SUBSECTION (35) TO AUTHORIZE THE ISSUANCE OF A CONSTRUCTION PERFORMANCES BOND FOR GOVERNMENT PROJECTS TO CONSTRUCTION COMPANIES WHOLLY OWNED OR CONTROLLED BY U. S. CITIZENS AND TO ACCEPT LEASEHOLD INTEREST OR OTHER SECURITY EQUAL TO THE TOTAL PROJECT COST IN LIEU OF EACH CASH PREMIUM PAYMENT; AND FOR OTHER PURPOSE.

Speaker Fitial: Discussion?

Several members voiced, “ready”.

Speaker Fitial: Roll call.

Representatives David M. Apatang and Stanley T. Torres came in at 4:35 p.m.

The Clerk called the roll on the motion to pass House Bill No. 12-15, CD1, 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	excused
Rep. Maria “Malua” T. Peter	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	excused
Speaker Benigno R. Fitial	yes

Speaker Fitial: Please let the record show that Representatives Apatang and Stanley Torres are present. House Bill No. 12-15, Committee Draft 1, passes the House on First and Final Reading. Floor Leader, next?

Floor Leader Babauta: So move, Mr. Speaker, for the passage on First and Final Reading House Bill No. 12-231, under Standing Committee Report No. 12-175.

The motion was seconded.

H. B. NO. 12-231, CD1: A BILL FOR AN ACT TO AMEND TITLE 1, DIV. 8, PART 3, CHAPTER 7, §8402; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Several members voiced, “ready”.

Speaker Fitial: Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-231, CD1, 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	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. 12-231, Committee Draft 1, passes the House on First and Final Reading. Floor Leader?

Floor Leader Babauta: So move, Mr. Speaker, for the passage on First and Final Reading House Bill No. 12-59, Committee Substitute 1, under Standing Committee Report No. 12-176.

The motion was seconded.

H. B. NO. 12-59, CS1: A BILL FOR AN ACT TO AMEND APPROPRIATE TWO HUNDRED FIFTY SIX THOUSAND SIX HUNDRED THIRTY SIX DOLLARS (\$256,636.00) FROM FUND BALANCES FROM PUBLIC LAW NOS. 9-1 AND 10-38; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion? Representative Hofschneider?

Rep. Hofschneider: May I ask the indulgence of the members if we can pass this on a subsidiary motion for First Reading? We would like to check, Mr. Speaker, Public Law Nos. 9-1 and 10-38, I think we have exhausted that fund balances. And just to make sure, I request that we put this on First Reading, if there is no objection.

There was no objection raised.

Speaker Fitial: Can we just ask the Chairman of the Committee to enlighten the House?

Rep. A. Camacho: Mr. Speaker, the fund status report that was given to the Committee by the Ms. Vicky Villagomez, is as of September 30th, these are the closed project fund balance.

Rep. Attao: Mr. Speaker?

Speaker Fitial: Representative Attao?

Rep. Attao: For Oleai Elementary School, Mr. Speaker, we do have \$20,000 and for the Garapan Elementary School we have \$81,227. So, on the \$81,227 the RFP is out, they are bidding for the construction so as Oleai Elementary School. Under Public Law 9-1, I am certain that the two unexpended fund balances are booked and considered committed for the two respective schools.

Rep. A. Camacho: Mr. Speaker, the fund balance that the Committee took under consideration was the completed engrossed project. So there is no problem whatsoever to the respect and recommended by the CIP coordinator.

Rep. Attao: Yes. I understand that, Mr. Speaker.

Speaker Fitial: I think you are talking about the same thing except different level. In other words, those balances are accurate. What they are saying over here is that, those balances are now being planned to be encumbered.

Rep. Attao: You are correct, Mr. Speaker.

Rep. A. Camacho: As of September 30th, Mr. Speaker, they put on the report that it was given to the Committee by –

Speaker Fitial: The question is, are they authorized to encumber those fund balances without appropriation?

Rep. Attao: We did appropriate it, Mr. Speaker, and the balance was to be use for other projects within that school. So, the balance that shows on the report is not clear, Mr. Speaker, because the fund balance has been reprogrammed to be use within the respective school.

Speaker Fitial: If it has been reprogrammed, why is it that it is showing under the September 30th fund status report as unencumbered?

Rep. Hofschneider: May I answer that?

Rep. Attao: You know, Mr. Speaker, for the Garapan Elementary School we appropriated about \$307,900. The balance of the \$81,227 is still available, but as far as that report, as the Chair stated today, that fund balance is committed for the project that is not yet completed.

Rep. A. Camacho: Mr. Speaker, my record shows that it is closed. Completed and closed.

Rep. Attao: Is that for Garapan, Mr. Speaker?

Rep. A. Camacho: This is not for Garapan. This is for other schools, for Precinct I.

Rep. Attao: If it is for other schools, I rest my case. Otherwise, Mr. Speaker –

Rep. A. Camacho: I respect Precinct III projects.

Rep. Attao: I don't want to jeopardize the ongoing project if we are re-appropriating that fund balance.

Rep. A. Camacho: I am trying to assist Precinct III also. The Committee did not take Precinct III project for the schools.

Speaker Fitial: So, Mr. Chairman, are you saying that these balances that we are now re-appropriating do not concern those projects for Garapan and Oleai?

Rep. A. Camacho: No. Garapan, I am not within purview of this reauthorization on appropriation.

Rep. Hofschneider: Does he have a copy so we can just look at it briefly? We can tell where the fund balance is if it is in that Public Law? If they have that fund status we can tell you what Public Law?

Rep. Attao: Mr. Speaker?

Floor Leader Babauta: Short recess, one minute.

Speaker Fitial: No, let us proceed. Let us move to the other one... We will just suspend discussion on the passage motion on House Bill No. 12-59 temporarily and let us entertain another motion if there is no objection by the members.

There was no objection raised.

Speaker Fitial: Floor Leader recognized for another motion.

Floor Leader Babauta: So move for the suspension of Rule VII, Section 7 and Rule IX, Sections 9 and 10 so that we may place and pass on First and Final Reading on today's Calendar House Bill No. 12-285.

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. 12-285.

The motion was seconded.

H. B. NO. 12-285: A BILL FOR AN ACT TO EXTEND THE PRIVILEGE OF HAVING NONRESIDENT WORKERS WITH SPECIAL SKILLS AND QUALIFICATION HARD-TO-FILLED VACANT POSITIONS WITHIN THE CNMI GOVERNMENT BY REPEALING AND REENACTING 3 CMC, SECTION 4434; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Several members voiced, "ready".

Speaker Fitial: Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-285 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	excused

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. 12-285... can I ask for a clarification because I see there is a pencil change?

Rep. Peter: This was done before I introduced it, Mr. Speaker.

Speaker Fitial: So it is understood that the comprehensive training and education plan should be develop within five years not ten years?

Rep. Peter: Yes.

Speaker Fitial: Okay. House Bill No. 12-285 passes the House on First and Final Reading. Floor Leader?

Floor Leader Babauta: So move, Mr. Speaker, for the passage on First and Final Reading House Bill No. 12-279, Committee Substitute 1, under Standing Committee Report No. 12-177.

The motion was seconded.

H. B. NO. 12-279, CS1: A BILL FOR AN ACT TO REPEAL AND RE-ENACT PUBLIC LAW 11-79 SECTION 6 (c) (2); AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Several members voiced, “ready”.

Speaker Fitial: Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-279, CS1, 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	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. 12-279, Committee Substitute 1, passes the House on First and Final Reading. Can we go back to --

Floor Leader Babauta: Ready for the question.

Speaker Fitial: Ready for the question?

Floor Leader Babauta: Yes, Mr. Speaker.

Rep. Hofschneider: Under discussion, Mr. Speaker.

Speaker Fitial: We are still under discussion.

Rep. A. Camacho: Mr. Speaker?

Speaker Fitial: Chairman, recognized.

Rep. A. Camacho: On the report that we received from CIP coordinator Kagman Elementary School has a fund balance of \$342,000; Marianas High School Gym has a balance of \$300,000; San Antonio and San Vicente Library has \$20,000, so, I did not use all the fund balance that is appropriate in this bill.

Rep. Attao: Mr. Speaker, may I ask the Chair when did get?

Rep. A. Camacho: This is just three days ago, Mr. Speaker, from the CIP coordinator, Mrs. Vicky Villagomez, as of September 30th, 2000, PSS CIP Status Report that she had given me. So, I have to trust if we don't anybody in the Administration so I am sorry, but I trust her for giving me this.

Speaker Fitial: That is the right report.

Rep. Attao: Can I see the document, Mr. Speaker?

Rep. A. Camacho: After the session, Mr. Speaker, I can provide him a copy. As for now, this is my only copy.

Rep. Attao: Mr. Speaker, I think Kagman Elementary School is in need of funds.

Rep. A. Camacho: Yes. We have the appropriation also here for fencing and that sources.

Rep. Attao: I think they need more than \$41,000.

Rep. A. Camacho: Mr. Speaker, the Commissioner of Education and the Public Works Technical Service Director, we met with the Chairwoman of the Education Committee, and they have their shopping lists, and we have so many other lists and other things. We encourage them also to use the FEMA fund balance for about \$41,000. So, we are helping the schools from re-appropriating their own funds.

Speaker Fitial: What the Chairman is saying is that, he is expecting that you also trust him.

Rep. Attao: No. It is not that I did not trust him, Mr. Speaker. It is a matter of protecting the needs of the respective schools (Garapan and Oleai Elementary School).

Rep. A. Camacho: Ready. We don't touch it because we have the balances.

Rep. Attao: Mr. Speaker?

Speaker Fitial: Go ahead.

Rep. Attao: If the Chair is telling us the truth now, then the true picture of the running balance of the unexpended fund balances from Kagman, San Antonio, Marianas High School Gym are correct and not touching Garapan and Oleai, Mr. Speaker, I will support that.

Rep. A. Camacho: I am not touching for Garapan. I respect your... –

Rep. Attao: If it is within the whole fund balance for PSS CIP, and Garapan and Oleai is not part of that, Mr. Speaker, then I have no question. However, funds are committed for Garapan and Oleai Schools.

Speaker Fitial: I recognize the Chairwoman on Education Committee.

Rep. Ichihara: Mr. Speaker, we had previously met on September 12 and we had been waiting for Mrs. Villagomez to come up with these balances. It had been agreed by the Chairman on Ways and Means that we will leave all the monies that are lapse from the respective schools and reappropriate it as requested by the school. What the Commissioner did with Mr. Frilying was come up with a listing of priorities that the school needs to be done now. In order to expedite the needs of the children they came up with that listing and with that listing we went over with the list that the Chairman had and so, that is what we are working on and it was never a part in our discussion as to trying to take away monies from the respective schools that have those lapse funds, so please, Representative Attao and Hofschneider...

Speaker Fitial: Representative Hofschneider?

Rep. Hofschneider: It is true, Mr. Speaker, there is sufficient amount of fund balances. The burden is really on the administration which one to apply the \$256,000 legislation. So, there is sufficient to take whatever fund balances to add up \$256,000.

Rep. A. Camacho: Ready.

Speaker Fitial: Representative Hofschneider just assured Precinct III that there are sufficient fund balances in which to accommodate school projects in Precinct III. Okay, we call for the question, roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-59, CS1, 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	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. 12-59, Committee Substitute 1, passes the House on First and Final Reading. Last Floor Leader?

Floor Leader Babauta: Mr. Speaker, so move for the passage on First and Final Reading House Bill No. 12-282 under Standing Committee Report No. 12-178.

The motion was seconded.

H. B. NO. 12-282: A BILL FOR AN ACT TO REPEAL AND REENACT SECTION 1 OF PUBLIC LAW 12-7; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Several members voiced, “ready”.

Speaker Fitial: Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-282 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	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. 12-282 passes the House on First and Final Reading. Miscellaneous.

MISCELLANEOUS BUSINESS

Rep. Attao: Mr. Speaker, can we go back to Resolution Calendar?

Speaker Fitial: We already passed. We already passed your Resolution, Representative Attao.

Rep. Attao: Mr. Speaker, may I ask if we can allow the Clerk to expedite House Resolution No. 12-88? It's very, very urgent, Mr. Speaker.

Speaker Fitial: Clerk, can you please accommodate the request by Representative Attao?

Chairwoman Peter: Mr. Speaker, as well as 12-285, the Senate is meeting on Monday.

Speaker Fitial: Also the request from Representative Peter.

Chairwoman Ichihara: Mr. Speaker, all of them and also the Resolution to relocate Kagman. We really need the support of the Legislature to help find a better lot of land for relocating the –

Speaker Fitial: Can you please accommodate the request of all the members?

Several members voiced, "ready".

Speaker Fitial: I just want to bring up something I received today, a faxed copy of a letter from Ferdinand Aranza. He is telling me that he is quite concern about what he heard yesterday. And what he heard yesterday is something that I just learned today when I read his letter and that is concerning the next week's IGIA conference in San Francisco. He said up words of 14 legislators from the CNMI planning to attend the conference. This is news to me so I just responded just before the session, telling him that this issue is totally alien to me that I have no knowledge of such conference and especially I have no knowledge about 14 CNMI legislators planning to attend the conference. I don't know whether you have different information, but I have no information of such conference and also those who will be attending the conference. I have no idea. I just thought that I bring this matter up to you since it concerns the House as well.

Floor Leader Babauta: Thank you for serving, Mr. Speaker.

Speaker Fitial: The Speaker will be off-island until Tuesday.

Floor Leader Babauta: So move until tomorrow morning.

Speaker Fitial: That is what I was trying to get at. So, I suggest that we reconvene Wednesday.

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

The motion was seconded and carried by voice vote.

Speaker Fitial: The House recessed until Wednesday morning.

The House recessed at 4:53 p.m.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 12-16: A Local Appropriation Bill for an Act to appropriate \$30,000 from the local license fees for pachinko slot machines and poker machines in the First Senatorial District; and for other purposes. (OFFERED BY: REP. ALEJO M. MENDIOLA, JR. 10/5/00) **2nd Appearance**