

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

TWENTY-EIGHTH DAY

November 13, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its Twenty-Eighth Day, Second Regular Session, on Monday, November 13, 2000, at 10:57 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), fifteen members were recorded present. Representatives Antonio M. Camacho, Heinz S. Hofschneider, and Thomas B. Pangelinan were excused.

Speaker Fitial: A quorum is duly constituted for the Twenty-Eighth Day of our Second Regular Session. Representative Apatang is still on official travel. Representative Tony Camacho is still traveling on his way here, so as Representative Hofschneider -- I met him on the road. Representative Pangelinan is currently off-island. All of them are excused.

ADOPTION OF JOURNALS

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, so move for the adoption of the Twenty-Fourth Day, Second Regular Session journal.

The motion was seconded.

24th Day, 2nd Regular Session (11/6/00)

Speaker Fitial: Discussion?

Several members voiced, "ready".

Speaker Fitial: On page 6, in the middle page, after “Representative Hofschneider”, “Speaker Fitial”, should be “Representative Jones”. I couldn’t thank myself, I wish I could, that should be “Representative Jones”.

The motion to adopt the Twenty-Fourth Day, Second Regular Session journal was carried by voice vote.

Speaker Fitial: The motion carries.

INTRODUCTION OF BILLS

H. B. NO. 12-292: A Bill for an Act to repeal Sections 214 and 509 of Executive Order 94-3 in order to establish a non-partisan and independent civil service system; and for other purposes.

Offered by: Rep. Maria “Malua” T. Peter and four others
Referred to: Committee on Judiciary and Governmental Operations

H. B. NO. 12-293: Toxic Substances Exposure Compensation Act.

Offered by: Rep. Dino M. Jones
Referred to: Committee on Judiciary and Governmental Operations

INTRODUCTION OF RESOLUTIONS

None

MESSAGES FROM THE GOVERNOR

Gov. Comm. 12-91 – November 9, 2000 – Informing the Legislature that he had disapproved House Bill No. 12-177, CS1 (Toxic Substance Exposure Compensation Act).

There was no discussion raised.

REPORTS OF STANDING COMMITTEES

None

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, although “None” appears on the Calendar, there is one being circulated. Please indicate it on your Order of Business Item No. 12. I move for the adoption of Standing Committee Report No. 12-184, reference to House Bill No. 12-277.

The motion was seconded.

S. C. R. No. 12-184: Reporting on House Bill No. 12-277, entitled, “A Bill for an Act to ensure that the students of the Commonwealth receive quality school services, to approve the amendments of the Board of Education and the Public School System policies and regulations reclassifying counselors as certified employees and changing counselors’ salaries; and for other purposes.” *Your Committee on Education recommends that the House passed the bill.*

Speaker Fitial: Discussion?

Several members voiced, “ready”.

The motion to adopt Standing Committee Report No. 12-184 was carried by voice vote.

Speaker Fitial: The motion carries. Anymore Standing Committee Reports?

Floor Leader Babauta: None, Mr. Speaker.

RESOLUTION CALENDAR

None

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. Mr. Speaker, I move to recall House Bill No. 12-270, under Standing Committee Report No. 12-181 from the Committee on Judiciary and Governmental Operations and place it on today’s Calendar for action.

The motion was seconded.

Rep. Peter: Which bill is that? What is House Bill 12-270?

Speaker Fitial: House Bill 12-270 is the “Driver’s License Bill”.

The motion to recall from the Committee on Judiciary and Governmental Operations and place on the day's Bill Calendar House Bill No. 12-270 for First and Final Reading was carried by voice vote.

Speaker Fitial: The motion carries.

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Thank you. Mr. Speaker, I move for the suspension of Rule IX, Sections 9 and 10 and Rule IX, Section 11 so that members may have chance to offer also oral floor amendments and for the passage on First and Final Reading House Bill No. 12-277 and House Bill 12-270 on today's Order of Business.

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 House Bill No. 12-277 under Standing Committee Report No. 12-184 on First and Final Reading.

The motion was seconded.

H. B. NO. 12-277: A BILL FOR AN ACT TO ENSURE THAT THE STUDENTS OF THE COMMONWEALTH RECEIVE QUALITY SCHOOL SERVICES, TO APPROVE THE AMENDMENTS OF THE BOARD OF EDUCATION AND THE PUBLIC SCHOOL SYSTEM POLICIES AND REGULATIONS RECLASSIFYING COUNSELORS AS CERTIFIED EMPLOYEES AND CHANGING COUNSELORS' SALARIES; 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. 12-277 on First and Final Reading as follows:

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

Rep. Antonio M. Camacho	excused
Rep. Rosiky F. Camacho	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Heinz S. Hofschneider	excused
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	yes
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-277 –

Rep. Attao: Mr. Speaker, may I ask the author as to enlighten us why “counselor” was eliminated from the principal/vice principal salary scale?

Speaker Fitial: Go ahead and respond to that question before I declare the result of the vote.

Rep. Ichihara: This was a request from the Public School System because they had come up with a new policy to treat counselors as certified employees. It is only required that they be with the students within the 190 days just like teachers and librarians. They are considered non-certified employees previously but they have a policy that would include them as 190 days teachers in compliance and of course to be in compliance with the law that was passed. They considered as non-certified teachers with the school principals. That was just a request from the Public School System to treat them as certified employees.

Rep. Attao: Another question, Mr. Speaker? Under Public Law 10-85 -- this bill was passed in 1997, -- I would like to find out from you as to whether or not the principals, vice principals or the counselors did receive the compensation on this law?

Rep. Ichihara: I believe they are starting to get some kind of adjustment, but because of the wording that it was supposed to be done “upon availability of funds” since the law was passed there was never funds to accommodate the principals, vice principals and the counselors. I am not very sure right now. They have been adjusted, some principals have gone up to fifty sum thousand dollars, but I don’t believe anybody has reach Sixty Thousand Dollars as provided by that law. The counselor position is just to become certified so they would not be required to be there twelve months in a year.

Rep. Attao: Thank you, Mr. Speaker.

Speaker Fitial: House Bill No. 12-277 passes the House on First and Final Reading.

Floor Leader Babauta: Mr. Speaker, point of information.

Speaker Fitial: State your point of information.

Floor Leader Babauta: Thank you, Mr. Speaker. This is probably a typo error on page 2 of the Bill, line item 21, that should be “counselors in” instead of “counselor sin”.

Rep. Ichihara: That is, “for school counselors in the Public School System”.

Floor Leader Babauta: Just so that we clarify for the record.

Rep. Ichihara: Thank you, Floor Leader.

Floor Leader Babauta: Ready.

Speaker Fitial: Anymore bill for passage?

Floor Leader Babauta: Yes, Mr. Speaker. So move, Mr. Speaker, for the passage on House Bill No. 12-270 on First and Final Reading.

The motion was seconded.

H. B. NO. 12-270: A BILL FOR AN ACT TO AMEND TITLE 9 SECTION 1304 OF THE COMMONWEALTH CODE, PROHIBITING THE SEIZURE OF A PERSONS DRIVERS LICENSE PRIOR TO CONVICTION FOR A CRIME OR INFRACTION.

Speaker Fitial: Discussion?

Several members voiced, “ready”.

Speaker Fitial: Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-270 on First and Final Reading as follows:

Rep. Martin B. Ada	yes
Rep. David M. Apatang	excused
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Diego T. Benavente	no
Rep. Antonio M. Camacho	excused
Rep. Rosiky F. Camacho	yes
Rep. Florencio T. Deleon Guerrero	yes

Rep. Heinz S. Hofschneider	excused
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	yes
Speaker Benigno R. Fitial	yes

Speaker Fitial: House Bill No. 12-270 passes the House on First and Final Reading. Anymore, Floor Leader?

Floor Leader Babauta: Mr. Speaker, can we take five minutes recess before we recess permanently?

Speaker Fitial: Five minutes that is too long.

Floor Leader Babauta: I believe there is a resolution for action by this Chamber.

Speaker Fitial: Short recess.

The House recessed at 11:13 a.m.

RECESS

The House reconvened at 11:18 a.m.

Speaker Fitial: I had been informed that the bill that was supposed to be considered in today's session is not yet complete, therefore we will not be considering it on today's session, but perhaps at a later session. There being no further bill on today's calendar for consideration.

MISCELLANEOUS BUSINESS

None

ANNOUNCEMENTS

The Chair recognized, Rep. Rosiky Camacho.

Chairman Rosiky Camacho: Thank you, Mr. Speaker. Two announcements: one is at 1:30 p.m., a regular PUTC meeting, and the other one is at 3:00 p.m. on today. I was told from CUC that the Chairman and the Sub-Chair under the Telecommunication will be meeting with the committee today at 3:00 p.m. to discuss the issue on regulatory matters in reference to telecommunication and that is consistent with the request of one of our Representatives in terms of the universal rate and universal fees. So those things will be discussed at 3:00 p.m. meeting today.

Speaker Fitial: I understand from today's Marianas Variety that CUC came out explaining what has transpired so far with the power plant project, there meetings with Enron and also their attorneys having progressing quite satisfactorily according to the news report. So, can we ask to meet with them again now that they are all on island, because the last time we asked to meet with them they said we were going to meet, but only the Chairman was on island. We should meet with them so they can give us the report that they are giving now to the Marianas Variety in person.

Chairman Rosiky Camacho: That is well taken, Mr. Speaker.

Speaker Fitial: Like I mentioned in our meeting with the Chairman last time, I personally believe that CUC has been abusing public funds and we need to put an end to that nonsense. Any further announcements? Chairwoman Ichihara?

Chairwoman Ichihara: Thank you, Mr. Speaker. Education Committee meeting tomorrow at 9:00 a.m. Thank you.

Speaker Fitial: Anymore announcements? Chairman Jones? -- Floor Leader?

Floor Leader Babauta: Thank you, Mr. Speaker. Move to recess subject to the call of the Chair.

The motion was seconded and carried by voice vote.

Speaker Fitial: The House stands recess subject to the call of the Chair.

The House recessed at 11:22 a.m.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 12-19: A HOUSE LOCAL BILL FOR AN ACT TO REPEAL SAIPAN LOCAL LAW 9-1; AND FOR OTHER PURPOSES. (REP. HEINZ S. HOFSCHEIDER +4 11/8/00)
[3RD APPEARANCE]