

HOUSE OF REPRESENTATIVES  
TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
NINTH SPECIAL SESSION, 2000

FIRST DAY

July 20, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its First Day, Ninth Special Session, on Thursday, July 20, 2000, at 7:00 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.

*Mr. Perios Besong was appointed Acting Sergeant-At-Arms.*

A moment of silence was observed.

In accordance with Rule XIII, § 2(a), eleven members were present. Representatives Diego T. Benavente, Antonio M. Camacho, Heinz S. Hofschneider, Alejo M. Mendiola, Jr., Thomas B. Pangelinan, Stanley T. Torres and William S. Torres are excused.

Speaker Fitial: A quorum is duly constituted for the First Day of our Ninth Special Session. All members absent are duly excused. Sorry that the scheduled session this afternoon had to start late. Everybody knows that we are trying to put together the final Committee Report on the Conference Report on House Bill No. 12-39, that is the reason why the session is delayed.

**ADOPTION OF JOURNALS**

None

**INTRODUCTION OF BILLS**

H. B. NO. 12-228: A Bill for an Act to reappropriate fund balances from Public Law 11-67 and Public Law 9-24; to amend Public Law 10-38 as amended by Public Law 11-7; to appropriate funds to supplement those available for the West Tinian Airport Airside Capital Improvement Project; to identify and make appropriations for other CIP projects; and for other purposes.

Offered by: Rep. Norman S. Palacios

H. B. NO. 12-229: A Bill for an Act to reappropriate Local and 702 fund balances from Public Law 11-119; and for other purposes.

Offered by: Rep. Jesus T. Attao and eight others

H. B. NO. 12-230: A Bill for an Act to amend 1 CMC Section 8362 to require that contributions to the Retirement Fund by the government be refunded to the government upon separation from service by a member; and for other purposes.

Offered by: Rep. Maria “Malua” T. Peter and one other  
Referred to: Committee on Judicial and Governmental Operations

H. B. NO. 12-231: A Bill for an Act to amend Title 1, Division 8, Part 3, Chapter 7, §8402; and for other purposes.

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

H. B. NO. 12-232: A Bill for an Act to reform, simplify, and enhance the fairness and equity of the NMI tax system, to establish flat tax rates that create a fair and equitable pro-growth, pro-jobs, and pro-business economic environment in the NMI, to take the first steps toward the adoption (following the approval of the United States Congress) of a simple and flat income tax system, to repeal and reenact 4 CMC Sections 1204, 1301(a), 1402(a), and 5611(d) effective January 1, 2001; and for other purposes.

Offered by: Rep. Benigno R. Fitial

## **INTRODUCTION OF RESOLUTIONS**

None

## **MESSAGES FROM THE GOVERNOR**

Gov. Comm. 12-64 – July 19, 2000 – Informing the Legislature that he signed House Bill No. 12-7, HD1 (re Pornographic Materials) into Public Law 12-9.

## **SENATE COMMUNICATIONS**

None

**HOUSE COMMUNICATIONS**

None

**COMMUNICATIONS FROM THE JUDICIAL BRANCH**

None

**COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE**

None

**COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

None

**OTHER COMMUNICATIONS**

None

**REPORTS OF STANDING COMMITTEES**

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, before a motion is made, may I ask the indulgence of the members to also include, because it was not on the Order of Business under Item 13, Joint Conference Committee Report No. 12-2, on today's Agenda.

There was no objection raised.

Speaker Fitial: So ordered. Floor Leader?

Floor Leader Babauta: Mr. Speaker, I now move for the adoption of Standing Committee Report Nos.: 12-120 reference to House Bill No. 12-177; 12-121 reference to House Bill No. 12-209; 12-122 reference to House Bill No. 12-122; and 12-123 reference to House Bill No. 12-149.

S. C. R. NO. 12-120: Reporting on House Bill No. 12-177, entitled, "Toxic Substances Exposure Compensation Act." Your Committee on Natural Resources recommends that the House pass the Bill in the form of H.B. 12-177, CS1.

S. C. R. NO. 12-121: Reporting on House Bill No. 12-209, entitled, "To repeal and reenact 1 CMC 1601-1616, and for other purposes. Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill.

S. C. R. NO. 12-122: Reporting on House Bill No. 12-122, entitled, “To establish a Special CIP Account for Precinct III, and for other purposes.” Your Committee on Ways and Means recommends that the House pass the bill in the form of H.B. No. 12-122, H.D.1.

S. C. R. NO. 12-123: Reporting on House Bill No. 12-149, entitled, “To amend Subsection 2 of Section 2 of Public Law 11-43; and for other purposes.” Your Committee on Ways and means recommends that the House pass the Bill.

The motion to adopt Standing Committee Report Nos. 12-120, 12-121, 12-122 and 12-123 was seconded and carried by voice vote.

Speaker Fitial: The four Standing Committee Reports are duly adopted.

### **REPORTS OF SPECIAL AND CONFERENCE COMMITTEES**

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, I now move for the adoption of Joint Conference Committee Report No. 12-2 reference to House Bill No. 12-39, Committee Substitute 2, Senate Substitute 1, Conference Draft 1.

The motion was seconded.

J. C. C. R. NO. 12-2: Reporting on House Bill No. 12-39, CS2, SS1, entitled, “To reform the labor and business laws of the Commonwealth; and for other purposes.” Your Joint Conference Committee recommends that the House pass the Bill in the form of H. B. No. 12-39, CS2, SS1, CD1.

Speaker Fitial: Discussion? Representative Attao?

Rep. Attao: Mr. Speaker, is there any Substitute Conference Committee Report No. 12-2?

Speaker Fitial: Copies should have been distributed to all the members.

Rep. Attao: Is there a Committee Substitute 12-2, I would like to make a subsidiary motion to include 12-2.

Speaker Fitial: Further discussion?

Rep. Peter: Ready, Mr. Speaker.

Floor Leader Babauta: Ready.

The motion to adopt Joint Conference Committee Report No. 12-2 was carried by voice vote.

Speaker Fitial: Joint Conference Committee Report No. 12-2 is adopted. Bill Calendar.

### **BILL CALENDAR**

The Chair recognized the Floor Leader.

Floor Leader Babauta: Mr. Speaker, if there is no objection from the members, I would like to move to suspend Rule IX, Sections 9 and 10 for the placement and passage of Conference Committee Draft 1 under House Bill No. 12-39, CS2, SS1.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Representative Attao?

Rep. Attao: Mr. Speaker, I would like to make a subsidiary motion to include House Bill Nos. 12-228 and 12-229.

Speaker Fitial: Any second?

Rep. Peter: Second but what is 12-228?

Floor Leader Babauta: Mr. Speaker, privilege.

Speaker Fitial: State your privilege.

Floor Leader Babauta: Mr. Speaker, if there is no objection from Representative Attao, I was about to make a motion to place those two Bills on the Calendar.

Rep. Attao: No objection.

Speaker Fitial: Proceed.

Floor Leader Babauta: So move, Mr. Speaker, for the suspension of Rule VII, Section 9 for the placement of House Bill Nos. 12-228 and 12-229 on today's Order of Business.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries.

Rep. Peter: Mr. Speaker?

Floor Leader Babauta: Point of information.

Speaker Fitial: I think we need a suspension motion to allow these Bills to be considered without the Committee Report.

Floor Leader Babauta: We have done that, Mr. Speaker. We had adopted a motion to suspend Rule VII, Section 9.

Speaker Fitial: We did?

Floor Leader Babauta: Yes. The next motion, Mr. Speaker, will be suspension of Rule IX, Sections 9 and 10 for the passage.

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Thank you, Mr. Speaker. Mr. Speaker, I now move for the suspension of Rule IX, Sections 9 and 10 for the passage on First and Final Reading for the following House Bills: 12-228, 12-229, 12-39, CS2, SS1, CD1.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Floor Leader?

Floor Leader Babauta: So move, Mr. Speaker, for the passage from the House Bill No. 12-39, CS2, SS1, CD1.

The motion was seconded.

**H. B. NO. 12-39, CS2, SS1, CD1: A BILL FOR AN ACT TO REFORM THE LABOR AND BUSINESS LAWS OF THE COMMONWEALTH; AND FOR OTHER PURPOSES.**

Speaker Fitial: Discussion on the passage motion?

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader recognized.

Floor Leader Babauta: Mr. Speaker, your Joint Conference Committee made an understanding earlier that it shall be further clarify so that the agency that would carry out such policy will not further misinterpreted what have been misinterpreted before. I wish to reiterate, Mr. Speaker, on page 1, line 19 of the Bill, that the 20% mandate for the employment of citizens and who are residents of the CNMI is no way infringing upon the present 20% that is established in the statute for the overall requirement in any businesses. So, aside from the 20% that the law provides that each business or industry employs, there is also 20% addition in additional to the overall that

allows companies to employ within the supervisory and management position. And with this, I am sure that the provision that was made by the Joint Conference Committee is very clear. Another section, Mr. Speaker, that I wish to make it clear again, is the section where it stipulates the denial of a replacement permit, that is on page 7, line item 18, where the agency before has to practice of denying replacement for permits where employees physically did not arrive. So this additional provision would allow the entry permit to be available during the duration of the permits live given one year. So, the 90 days, where presently which required that if an employee does not arrive within 90 days that particular permit expire and could not be replace otherwise. So, this sentence will eliminate that confusion, Mr. Speaker. So once those individuals or nonresident workers under those permits is unable to arrive in the CNMI the employer can always surrender to the Department of Labor and Immigration and by doing so, it will allow the employer to replace form another prospective applicant. Another thing that I wish to clarify further, Mr. Speaker, is the controlling mechanism where the Joint Conference Committee agreed on the transfer and this is primarily in the apparel industry is only permitted within the apparel industry and nothing further aside from what is given under Public Law No. 11-6 or the transfer provision. That is the gist of the major changes, Mr. Speaker.

Speaker Fitial: If I may also clarify the issue, the provision on the \$100,000.00 security deposit, that can be in a form of cash or in a form of a security bond. The Conference Committee, I believe decided to remove the other form of security deposit letter of credit or guarantee and just decided to have these two forms of security deposit. No new garment license shall be issued for new factories in Saipan, the Third Senatorial District. In other words, the other two Senatorial Districts are permitted to set up garment business and garment license issue for the two Senatorial Districts. However, the cap remains at fifteen thousand seven hundred (15,700). The other important aspect of the compromise bill is, any nonresident worker whose permit, or employment expires maybe allowed to seek another employment within fifteen (15) days after the expiration of his or her employment with another company provided that such position is terminated thirty days before the expiration of such employment. The management positions as required under Section 3, subsection (aa)(i), only relates to resident workers who are performing management task and at the same time receiving a minimum base salary of \$24,000.00. I want to make it very clear that this does not include or address or involve nonresident workers. In the event that a garment factory or is no longer permitted to do business then the workers can be reallocated to other factories pursuant to regulation that should be promulgated by the Department of Labor and Immigration. These are some of the issues that we need to clarify so that the intent of this bill will be best understood.

Floor Leader Babauta: Ready.

Speaker Fitial: Representative Apatang?

Rep. Apatang: Thank you, Mr. Speaker. Just for clarification. I was going over the bill here and initially there is a section here where identifies certain job categories for exemptions like taxi drivers or bus drivers, what happen to that provision? Is that being eliminated certainly or --?

Speaker Fitial: That is still in effect. That law is not repealed by this Act.

Rep. Apatang: Thank you.

Floor Leader Babauta: Ready.

Speaker Fitial: Further clarification? Ready for the question? Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-39, CS2, SS1, 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	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.	excused
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. 12-39, Committee Substitute 2, Senate Substitute 1, Conference Draft 1, passes the House on its very Final Reading. Floor Leader?

Floor Leader Babauta: Mr. Speaker, I now move for the passage of House Bill No. 12-228 on First and Final Reading.

The motion was seconded.

**H. B. NO. 12-228:** A BILL FOR AN ACT TO REAPPROPRIATE FUND BALANCES FROM PUBLIC LAW 11-67 AND PUBLIC LAW 9-24; TO AMEND PUBLIC LAW 10-38 AS AMENDED BY PUBLIC LAW 11-7; TO APPROPRIATE FUNDS TO SUPPLEMENT THOSE AVAILABLE FOR THE WEST TINIAN AIRPORT AIRSIDE CAPITAL IMPROVEMENT PROJECT; TO IDENTIFY AND MAKE APPROPRIATIONS FOR OTHER CIP PROJECTS; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion on the passage motion? Representative Peter?

Rep. Peter: Mr. Speaker, one of the two bills that we got back from the Senate remains with the part of the money that was suppose to be given to the Public School System for JROTC and including storage rooms and other renovations for Rota High School. I am still concern about these needs for the Public School System, Mr. Speaker. Can the author or anybody that knows where we can get the money before giving the \$1.7 other than what the original bill was to be given to JROTC classrooms and storage rooms for Rota High School?

Speaker Fitial: Any member wish to respond? Floor Leader?

Floor Leader Babauta: Mr. Speaker, what was the concern?

Rep. Peter: Mr. Speaker, the original bill, H. B. No. 11-7, appropriating this same amount of money for the A&E construction of vocational shops and JROTC classrooms including storage rooms for the Rota High School, now, we are amending it to remove JROTC as well as the storage rooms and other needs for the Rota High School to appropriate for the – do we have other moneys to address the need for the JROTC classrooms and storage rooms for Rota High School?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Mr. Speaker, the only answer that I can fairly address to the concern of Chairwoman Peter, as a result of the Rota Leadership, they have reprioritized its local needs in their respective senatorial districts. This is taken into consideration earlier, but I understood that with a pressing priority on their capital improvement project have rediverted its CIP in this provision to allow for a construction of that amount to other priority request that has been made by the respective senatorial district of Rota.

Rep. Peter: Mr. Speaker?

Speaker Fitial: Proceed.

Rep. Peter: With all do respect, Mr. Speaker, it still bothers my conscious to see that the Rota High School needs JROTC classrooms as well as other that were stated. I respect the Rota leadership, but to reprioritize the need from our children from Rota, I personally feel that JROTC is one classroom and one facility that is needed should be given back to the Public School System, to be built at the Public School sites in Rota. Because of the fact that JROTC classrooms cannot be build away from the area or the actual classrooms that doesn't mean that they do not want it or they don't need it. That is my concern, Mr. Speaker. My conscious bothers me to support this amendment, Mr. Speaker, with all do respect to the Rota leadership as well as the Mayor. Thank you.

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: I have been made aware, Mr. Speaker, late this afternoon by few members of the Rota Delegation because I have brought this up to their attention. However, they have signified that perhaps they have already made a choice to move what is intended on the original version under Public Law 11-7 and I am sure that they have already identified funds to supplement whatever has been diverted to what we are trying to accomplish this evening, Mr. Speaker. That is the only fair answer that I can deliver to this body.

Rep. Ichihara: Mr. Speaker?

Speaker Fitial: Recognized.

Rep. Ichihara: Thank you. You know, this is the third time that this amount has come into a bill and I thought that we are going to look at the two that we were looking at yesterday and I don't hope that we can put it once and for all together so that all parties concern will be satisfied as to what their needs are. Right now just like we are passing dollar amount in a rush way and we need to go back and look into these things. We have two that are pending with the exact amount but there are only new things being added. We need to really look at those things and see where we can put this money in. Northern Marianas College, that is the transfer and I know that PSS needs the money. Unless I understand where the money is coming from, PSS really needs it.

Floor Leader Babauta: If I may, Mr. Speaker?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Mr. Speaker, again, to apiece distinguished Chairwoman Ichihara, as I have said earlier, Rota have identified approximately \$600,000 to accommodate and they have asked me, and because the fact that the Vice Speaker was absent because of death in the family, we are unable to act and introduce what have been identified by the Rota Delegation. The figures that Chairwoman Ichihara was alluding to, is in House Bill No. 12-100. This is the same provision that was incorporated under House Bill No. 12-100. Because there was a discrepancy in the Senate amendment, as a result of our meeting yesterday, on the urgency of Tinian's project, we decided with Chairman Norman Palacios to eliminate H. B. No. 12-202 and H. B. No. 12-100 and incorporate all changes made including the re-appropriation for the Oleai Stage and Precinct I water project, so, I guess we can call this the "CIP Omnibus Appropriation Act", Mr. Speaker. Because the fact that Chairman Camacho is presently off-island and the need of Tinian is of urgency because several of the Tinian Delegation are leaving tomorrow morning for Washington, D. C., Chairman Palacios requested that if all possible this House can act on this Bill?

Rep. Ichihara: May I?

Speaker Fitial: Proceed.

Rep. Ichihara: They are only be out for one week, does it matter that we have to rush this in a very rush way?

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Go ahead.

Floor Leader Babauta: If I may answer on behalf of Chairman Palacios, I was made aware that CPA is in need of the funds. I think they are in a negotiation process with the contractor on the final stage. Because the shortfall is there, and the need is there, the Delegation of Tinian felt the importance and urgency that this supplemental appropriation to augment the West Tinian Airport total appropriation funds of \$22 Million is in dire need, Mr. Speaker.

Speaker Fitial: I ask that we support the request from our Tinian colleague.

Rep. Ichihara: Mr. Speaker, I am not saying that I am not supporting, but I need to clarify my head what is going on. As long as we're doing the best thing that we are doing then I will support all the way. I am not saying am not going to support Representative Palacios here, but it just bugles my mind to be seeing the same thing three times. We are reviewing the items. I am just wonder, I know that they are leaving tomorrow but we've been here all week and I never knew of the real need.

Speaker Fitial: Representative Palacios, would you like to make some comments?

Rep. Palacios: Mr. Speaker, like I stated before that Tinian really needs this budget at this point in time. It is being pressure from college in Tinian, constituents that this thing needs to go in as soon as possible.

Speaker Fitial: Further deliberation? Representative Jones?

Rep. Jones: Mr. Speaker, I think one best alternative to compromise on this is to proceed and pass as it and perhaps at a later point in time, if there is a need to amend it, we can do it, but at least let us pass it at this time. Thank you.

Speaker Fitial: Representative Ada?

Rep. Ada: Mr. Speaker, Floor Leader Babauta already expressed the Rota Senators has identified \$600,000 to replenish this, I see no problem on that. Taking his word, I see no problem in pushing this Bill forward. I am also in support of Tinian in need of the airport, after all, the economy is the airport point of entry and exit. Thank you.

Speaker Fitial: Representative Attao?

Rep. Attao: Yes, Mr. Speaker. First of all, I want the record to reflect that I am in full support of House Bill No. 12-228. Mr. Speaker, on Section 4, West Tinian Airport, CIP, is this coming from Tinian Delegation as well as Rota Delegation on First Senatorial District?

Speaker Fitial: As I understand, Rota is giving up Six Million Dollars of their CIP guaranteed funds to Tinian. As I understand also this is in a form of an advance that there will be a reimbursed at a later date.

Rep. Attao: Let me just finish that, Mr. Speaker.

Speaker Fitial: Proceed.

Rep. Attao: Thank you for bringing that matter to the full house it is also part of my statement that the Six-point sum Million Dollars is an advance should we pass this bill and singed into law it is going to be on reimbursable basis. Mr. Speaker, looking at Public Law 11-119 when we allow CDA to flow bond under Public Law 11-102, it appears to me that CDA allows Thirty Million Dollars while Covenant 702 funding was \$30,800,000. Out of this, Mr. Speaker, I just want the record to show that \$6.5 respectively is an advance payment. I want the record to show also that I am in full support of the Governor reprogramming to cover the needs of Tinian and visa versa, if the funds becomes available then Tinian should reimburse the Third Senatorial District. Thank you.

Rep. Jones: Ready.

Rep. Ichihara: Ready.

Speaker Fitial: Can we just have a one-minute short recess? Short recess.

The House recessed 7:45 p.m.

### RECESS

The House reconvened at 7:46 p.m.

Speaker Fitial: The House shall reconvene. We are deliberating on House Bill No. 12-228.

Floor Leader Babauta: Ready for the question, Mr. Speaker.

Speaker Fitial: Ready?

Rep. Jones: Ready.

Speaker Fitial: Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-288 on First and Final Reading as follows:

Rep. Martin B. Ada

yes

Rep. Attao: Mr. Speaker, are we voting on the bill?

Rep. Apatang: We are voting? There is no discussion?

Rep. Jones: **Esta.**

Rep. Ichihara: **Esta. Esta ilegko “ready”.**

Rep. Attao: There is an amendment from Precinct I, if there is no objection from the members, can we go back to the discussion?

Speaker Fitial: Okay.

Floor Leader Babauta: Mr. Speaker, if there is no objection from the members, can we recall the motion for passage and allow the discussion?

There was no objection raised.

Speaker Fitial: It is not recalling the passage, recalling the vote. If there is no objection, let us go back to the discussion. Floor Leader?

Floor Leader Babauta: Because Representative Apatang would like to offer an oral floor amendment for the Third Senatorial District, I so move now for the suspension of Rule IX, Section 11.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. I now recognized, Representative Apatang.

Rep. Apatang: Thank you, Mr. Speaker. On page 3, Section 6 (b) (2), under “Outer Cove Breakwater”, I would like to put in an oral amendment of “\$100,000 out of the \$400,000 should be reserved for varies road projects in Precinct I”.

Floor Leader Babauta: Second.

Speaker Fitial: Discussion?

Several members voiced, “ready”.

Speaker Fitial: This is an amendment, would you prefer a voice vote or --?

Floor Leader Babauta: Voice vote.

The motion to adopt the oral Floor Amendment offered by Representative Apatang was carried by voice vote.

Speaker Fitial: The motion carries. Further discussion?

Floor Leader Babauta: Ready for the question, Mr. Speaker.

Speaker Fitial: We are now voting on House Bill No. 12-228, House Draft 1. Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-228, House Draft 1, 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	excused
Rep. Brigida DLG. Ichihara	yes
Rep. Dino M. Jones	yes
Rep. Alejo M. Mendiola, Jr.	excused
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. 12-228, House Draft 1, passes the House on First and Final Reading.

Rep. Palacios: Mr. Speaker, can I make a comment?

Speaker Fitial: Can you reserve that until after – Floor Leader?

Floor Leader Babauta: Mr. Speaker, I am humbled and now move for the passage on First and Final Reading House Bill No. 12-229.

The motion was seconded.

**H. B. NO. 12-229:** A BILL FOR AN ACT TO REAPPROPRIATE LOCAL AND 702 FUND BALANCES FROM PUBLIC LAW 11-119; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Rep. Jones: Mr. Speaker?

Speaker Fitial: Representative Jones?

Rep. Jones: Mr. Speaker, in as much as I want to support this Bill because there is something for Precinct IV. Number one that I am very concern is; the Chairman of the Ways and Means Committee has reiterated the position of the committee that this kind of appropriation must go to the Ways and Means Committee for review. And, it is very important that we respect the position of the committee particularly the Chairman, as we undertake the budget hearing. We know that there are many things that we want out there. Number two; there are also priorities that the departments are going to make to the committee. And for these reasons, I respectfully request that we defer action on this until the Chairman of the Ways and Means Committee return and the committee needs to deliberate on it so that it will be reported in accordance with the committee positions. Thank you, Mr. Speaker.

Rep. Attao: Mr. Speaker?

Speaker Fitial: I object to my good colleague from Precinct IV. We just finish passing House Bill No. 12-228 and he did not question the bill to be referred to the committee for further review. House Bill No. 12-229 is identical to House Bill No. 12-228. So, may I ask the indulgence of the members to support House Bill No. 12-229 for its passage?

Rep. Apatang: Ready.

Rep. Rosiky Camacho: Ready.

Rep. Jones: Mr. Speaker?

Speaker Fitial: Recognized.

Rep. Jones: The content of House Bill No. 12-228 is a different matter on financial resources because it deals with Senatorial Districts as well as CDA money. But in this case, we are doing re-appropriation of available funds and this is where the committee is looking at available funds in order to respond responsibly to the need of the communities, to the need of the departments and agencies. Please give the Ways and Means Committee the opportunity to do its obligation responsibly and this is all I'm asking. Thank you, Mr. Speaker.

Rep. Attao: Mr. Speaker, just a point of information.

Speaker Fitial: State your point.

Rep. Attao: On House Bill No. 12-228, I ask my good colleague from Precinct IV to go to page 3, Section 6 (b) (1) and (2), these are part of that appropriation. To be exact, Mr. Speaker, that is the balance of the previously funded on-going project under refinance by CDA.

Rep. Jones: I understand that, Mr. Speaker. House Bill No. 12-229 sets the appropriation to the villages, it is a small-scale area that it will cover, which is the village, but on House Bill No. 12-228, is the CNMI wide project. So, there is a difference between the CNMI projects and the village or the community project and this is why I am respectfully asking the members to please defer action on this particularly that the Chairman has not sign his name on this Bill. And as a member of the Ways and Means Committee, I honor and respect the committee Chairperson's position. Thank you, Mr. Speaker.

Rep. Attao: Mr. Speaker?

Speaker Fitial: Proceed.

Rep. Attao: If my good colleague from Precinct IV, don't like the \$100,000, I would like to offer a Floor Amendment, to delete line item 5, section 1 in its entirety and on line item 9, Section 2, add, "\$100,000" to read, "\$272, 472,00, that is a motion.

Rep. Jones: Mr. Speaker?

Rep. Jones: It is not a matter of giving precinct III, or for that matter any precinct, the money, it is just that we are very tight with our budget and the committee Chairperson made understanding with the members that please, any appropriations coming out without my consent be defer until he takes a look at it. Of course the members want this, I gladly would like to, because like I said earlier, this appropriation is also included in my precinct, but it is only a matter of taking and conforming with the committee Chairperson's position. That is all, Mr. Speaker. I respectfully ask my colleague Representative Attao to just take it that I am just taking the position of the committee that is all. Thank you.

Rep. Attao: Move to end debate, Mr. Speaker.

Rep. Rosiky Camacho: Ready.

Speaker Fitial: Representative Apatang?

Rep. Apatang: Thank you, Mr. Speaker. I should be hollering about this bill because I need all the money that I can get for precinct I also. However, I think the Bill and the intention of the appropriation here is for a good cause in that particular area that is why I am supporting this Bill. And I ask the members also to support the Bill. We just voted to support the Bill earlier to place it on the Calendar. I don't see any problem with this appropriation I know the money is there. Therefore, I would like to move to end debate.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. We are now voting on the passage motion on House Bill No. 12-229. Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-229 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	excused
Rep. Brigida DLG. Ichihara	yes

Rep. Jones: For the record, I am abstaining because I have to respect the Chairperson's position on the committee. Thank you.

Rep. Dino M. Jones	abstained
Rep. Alejo M. Mendiola, Jr.	excused
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. 12-229 passes the House on First and Final Reading.

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Mr. Speaker, because the Senate is in need of the services of Mr. Steve Mackenzie and because some of the members are going to a rosary and the fact of the matter that Representative Ada is aching from the gout, I wish to ask the members indulgence to defer action on the other Bills in the Calendar until tomorrow in the afternoon, Mr. Speaker?

Speaker Fitial: So, what is the pleasure of the House?

Rep. Jones: What public hearing? I have a public hearing tomorrow.

Rep. Attao: Why don't we act on it today?

Speaker Fitial: Let us proceed. What is the pleasure of the House?

Rep. Rosiky Camacho: We move to finish what is on the calendar.

Speaker Fitial: Floor Leader?

Floor Leader Babauta: As overruled, Mr. Speaker, by the members, Mr. Speaker, I now move for the passage of House Bill No. 12-149 under Standing Committee Report 12-123.

Speaker Fitial: I think we need to stop at this juncture because the Senate is waiting for the transmittal.

Floor Leader Babauta: Mr. Speaker, I withdraw my motion.

Speaker Fitial: Our House Clerk is the only person who can provide that service. So in the interest of harmony and cooperation and most importantly mutual understanding, I would like to request your indulgence that we recess.

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

Floor Leader Babauta: Before I move for that motion, Mr. Speaker, I would like to echo with relieve on behalf of this House that we managed to sit with our Senate counterpart and I thank on behalf of the House, and the Senate President, the Chairman of the Senate Conferee, Senator Peter Reyes for a mutual cooperation and understanding during our conference this morning on House Bill No. 12-39. And I also wish to express my sincere gratitude to the staff, Mr. Speaker, for staying with us late. With that, Mr. Speaker, I move to recess.

Speaker Fitial: I think we promised, Representative Norman Palacios to say few words.

Rep. Palacios: Thank you, Mr. Speaker. Mr. Speaker, I would like to comment on House Bill No. 12-228. Mr. Speaker, let the record show that part of this section that was inserted on this Bill was part of House Bill Nos. 12-100 and 12-202 that was originally introduced by two gentlemen, Representatives Apatang and Attao, I give credit to these two gentlemen. Again, I highly thank you all my colleagues for passing this Bill the people of Tinian will greatly appreciate this. Thank you.

Speaker Fitial: Thank you. With that, I now recognized the Floor Leader for the closing motion.

Floor Leader Babauta: Mr. Speaker, I thank Representatives Ada, Attao and Apatang, the three “A”, for bearing with us on the time and with that, Mr. Speaker, I recess subject to the call of the Chair.

Rep. Peter: Mr. Speaker, I would like – on behalf of you and the staff, to thank Mr. Jack Torres for feeding our staff this evening with pizza and drinks. Thank you.

Speaker Fitial: Okay.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. House stands recess subject to the call.

The House recessed at 8:03 p.m. subject to the call of the Chair.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk  
House of Representatives