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

FIRST DAY

July 21, 2000

The House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature convened in its First Day, Tenth Special Session, on Friday, July 21, 2000, at 4:17 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, \ni 2(a), fourteen members were present. Representatives Martin B. Ada, David M. Apatang, Antonio M. Camacho and Alejo M. Mendiola, Jr. are excused.

<u>Speaker Fitial</u>: A quorum is duly constituted for the First Day of our Tenth Special Session. All absent members are excused.

ADOPTION OF JOURNALS

None

INTRODUCTION OF BILLS

None

INTRODUCTION OF RESOLUTIONS

H. R. NO. 12-66: A House Resolution to request the Governor to seek assistance from the planning, design and construction of a comprehensive Water Runoff System Plan.

Offered by: Rep. Heinz S. Hofschneider and eight others

Speaker Fitial: Any further introduction of Resolution?

Floor Leader Babauta: Ready.

Rep. Hofschneider: Mr. Speaker?

Speaker Fitial: Representative Hofschneider?

Rep. Hofschneider: May I ask the indulgence of the members if we could facilitate the passage of this resolution today? It seems innocuous.

There was no objection raised.

Speaker Fitial: So ordered.

MESSAGES FROM THE GOVERNOR

None

SENATE COMMUNICATIONS

Sen. Comm. 12-60: Informing the House that the Senate passed H.B. 12-39, CS2, SS1, CD1, on July 20, 2000. [For inf.]

Sen. Comm. 12-61: Returning without amendment House Bill No. 12-003 (Subdivision rights of way), which the Senate passed on July 20, 2000. [Will go to Governor]

Sen. Comm. 12-62: Returning without amendment House Bill No. 12-84, HD1 (Minors Firearm Control), which the Senate passed on July 20, 2000. [Will go to Governor]

Sen. Comm. 12-63: Returning without amendment House Bill No. 12-162, CS1 (Managaha Marine Conservation Act), which the Senate passed on July 20, 2000. [Will go to Governor]

Sen. Comm. 12-64: Returning without amendment House Bill No. 12-229 (To reappropriate local and 702 fund balances from PL 11-119), which the Senate passed on July 20, 2000. [Will go to Governor]

Sen. Comm. 12-65: Transmittal of Senate Bill No. 12-2, entitled, "To amend 3 CMC § 4322(d) to permanently ban a deported alien from reentry into the Commonwealth; and for other purposes," which the Senate passed on July 20, 2000. [Referred to Committee on Judiciary and Governmental Operations]

Sen. Comm. 12-66: Transmittal of Senate Bill No. 12-4, entitled, "To adopt the Uniform Comparative Fault Act; and for other purposes," which the Senate passed on July 20, 2000. [Referred to Committee on Judiciary and Governmental Operations]

<u>Speaker Fitial</u>: We have two Senate Bills that have been transmitted to the House, Senate Bill No. 12-2 under Senate Communication 12-65 and Senate Bill No. 12-4 under Senate Communication 12-66, both of these measures are now being referred to Judiciary and Governmental Operations Committee. Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

<u>Floor Leader Babauta</u>: Thank you, Mr. Speaker. Earlier, I asked the members to include Standing Committee Report 12-124 under Item No. 12. Mr. Speaker, I move for the adoption of Standing Committee Report No. 12-124 containing House Bill No. 12-188.

S. C. R. NO. 12-124: Reporting on House Bill No. 12-188, entitled, "To appropriate funds to supplement the funds available for the West Tinian Airport Airside Capital Improvement Projects; and for other purposes." *Your Committee on Ways and Means recommends that the House passed the bill in the form of H. B. No. 12-188, H. D. 1.*

The motion to adopt Standing Committee Report No. 12-124 was seconded and carried by voice vote.

Speaker Fitial: Standing Committee Report No. 12-124 is adopted.

Rep. Hofschneider: Mr. Speaker?

Speaker Fitial: Recognized.

Rep. Hofschneider: I'm sorry the motion seems too fast. I noticed the bill is numbered, H. B. No. 12-188, House Draft 1, and I don't see any amendments to the Bill. Is there a typo to this?

Speaker Fitial: House Bill?

Rep. Hofschneider: Attached to the Committee Report. House Bill No. 12-188.

Floor Leader Babauta: Mr. Speaker, clarification.

Speaker Fitial: Floor Leader?

<u>Floor Leader Babauta</u>: There is a simple amendment that the Office of the Governor requested to be consistent with the 702 Master Plan and that will be found on line 12, the underline.

Rep. Hofschneider: The International Airport?

<u>Floor Leader Babauta</u>: Yes. Instead of "West Tinian Airport Airside Improvement Project" the Administration recommended that the phrase be corrected so that it should be consistent with the Master Plan that the Administration has. So that is the only correction.

Rep. Hofschneider: Thank you. Then perhaps the Committee may have forgotten to strike out or correct on page 2, line 16.

<u>Floor Leader Babauta</u>: Mr. Speaker, if there is no objection, can we handle that under the Bill Calendar?

Rep. Hofschneider: Yes. I am just pointing out on the Committee Report. Thank you.

Floor Leader Babauta: Thank you.

Rep. Benavente: Ready.

Floor Leader Babauta: Ready, Mr. Speaker.

Speaker Fitial: Okay. Resolution Calendar.

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Babauta: One-minute, Mr. Speaker. One-minute time-out.

Speaker Fitial: One-minute recess.

The House recessed at 4:23 p.m.

RECESS

The House reconvened at 4:24 p.m.

<u>Speaker Fitial</u>: The House shall reconvene. We are now under Item 15, Resolution Calendar. Floor Leader?

<u>Floor Leader Babauta</u>: Thank you, Mr. Speaker. Mr. Speaker, I move for the suspension of Rule VII, Section 9 so that we may adopt House Resolution No. 12-66.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Floor Leader, recognized.

<u>Floor Leader Babauta</u>: Mr. Speaker, I now move for the adoption of House Resolution No. 12-66

The motion was seconded

H. R. NO. 12-66: A HOUSE RESOLUTION TO REQUEST THE GOVERNOR TO SEEK ASSISTANCE FROM THE PLANNING, DESIGN AND CONSTRUCTION OF A COMPREHENSIVE WATER RUNOFF SYSTEM PLAN.

Speaker Fitial: Discussion? Representative Jones?

Rep. Jones: Mr. Speaker, this is a very good Resolution, it has also something to do with the importance of having rainwater rather than real water. Just two weeks ago, I wrote a letter to CUC Executive Director to find the means on how we can contain all these runoff waters so that we can be able to use it as a supplement or a subsidy to all these unclean and unhealthy water especially precinct IV receiving in the Northern Part of Saipan. Thank you.

Rep. Pangelinan: Mr. Speaker?

Speaker Fitial: Representative Pangelinan?

Rep. Pangelinan: Maybe an amendment is due in terms of the side, that will be "for the planning, design and construction of comprehensive Water Runoff System for Saipan, Tinian and Rota."

Rep. Hofschneider: No objection. Commonwealth.

Rep. Pangelinan: When you include Commonwealth, you mean Alamagan, Anatahan... are you going to do it?

<u>Speaker Fitial</u>: Your propose amendment is to --?

Rep. Pangelinan: Just include for Saipan, Tinian and Rota.

Speaker Fitial: You want it inclusive?

Rep. Pangelinan: Yes, inclusive.

Speaker Fitial: Okay.

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

<u>Floor Leader Babauta</u>: If I may, Mr. Speaker, I move for the suspension of Rule IX, Section 11 so that Representative Pangelinan may offer his floor amendment.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Go ahead, Representative Pangelinan.

Rep. Pangelinan: Simply to add after, "comprehensive Water Runoff System Plan for Tinian, Rota and Saipan".

Speaker Fitial: You don't want to include to –

Rep. Peter: Commonwealth.

Rep. Pangelinan: If you include Commonwealth, then you are defining it for a comprehensive plan for all the islands north of Saipan, and that is a lot of expenditures, which is not need at the present time.

Speaker Fitial: Thank you.

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

Speaker Fitial: The motion carries. Further deliberation?

Floor Leader Babauta: Ready.

The motion to adopt House Resolution No. 12-66, House Draft 1, was carried by voice vote.

Speaker Fitial: House Resolution No. 12-66, as amended is adopted. Bill Calendar.

BILL CALENDAR

The Chair recognized the Floor Leader.

<u>Floor Leader Babauta</u>: Thank you, Mr. Speaker. Mr. Speaker, I move for the suspension of Rule IX, Sections 9 and 10 so that we may place and pass on First and Final Reading House Bill No. 12-188, House Draft 1.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Floor Leader, you are now recognized.

<u>Floor Leader Babauta</u>: Thank you, Mr. Speaker. Mr. Speaker, I now move for the passage of House Bill No. 12-188, House Draft 1, on First and Final Reading.

The motion was seconded.

H. B. NO. 12-188, HD1: TO APPROPRIATE FUNDS TO SUPPLEMENT THE FUNDS AVAILABLE FOR THE WEST TINIAN AIRPORT AIRSIDE CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion? Representative Hofschneider?

<u>Rep. Hofschneider</u>: Thank you, Mr. Speaker. If I am in order for a motion or rather just to allow the clerk to correct on page 2, line 16, to insert similar amendments on page 1, "International Airport Expansion/Renovation and Construction" on that line.

<u>Floor Leader Babauta</u>: Mr. Speaker, if there is no objection from the members, yes, we'll request the clerk to make the typical corrections.

Rep. Hofschneider: Thank you.

Floor Leader Babauta: Thank you.

Speaker Fitial: Clerk, please effectuate the propose modification? Any further discussion or deliberation? Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-188, House Draft 1, on First and Final Reading as follows:

Rep. David M. Apatang Rep. Jesus T. Attao Rep. Oscar M. Babauta Rep. Diego T. Benavente Rep. Antonio M. Camacho Rep. Rosiky F. Camacho Rep. Florencio T. Deleon Guerrero Rep. Heinz S. Hofschneider Rep. Brigida DLG. Ichihara Rep. Dino M. Jones Rep. Alejo M. Mendiola, Jr. Rep. Norman S. Palacios excuse yes excuse yes	d
Rep. Oscar M. Babauta Rep. Diego T. Benavente Rep. Antonio M. Camacho Rep. Rosiky F. Camacho Rep. Florencio T. Deleon Guerrero Rep. Heinz S. Hofschneider Rep. Brigida DLG. Ichihara Rep. Dino M. Jones Rep. Alejo M. Mendiola, Jr. yes yes yes excuse	d
Rep. Diego T. Benavente Rep. Antonio M. Camacho Rep. Rosiky F. Camacho Rep. Florencio T. Deleon Guerrero Rep. Heinz S. Hofschneider Rep. Brigida DLG. Ichihara Rep. Dino M. Jones Rep. Alejo M. Mendiola, Jr. yes yes excuse	
Rep. Antonio M. Camacho 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.	
Rep. Rosiky F. Camacho Rep. Florencio T. Deleon Guerrero Rep. Heinz S. Hofschneider Rep. Brigida DLG. Ichihara Rep. Dino M. Jones Rep. Alejo M. Mendiola, Jr. yes excuse	
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. excuse	d
Rep. Heinz S. Hofschneider Rep. Brigida DLG. Ichihara Rep. Dino M. Jones Rep. Alejo M. Mendiola, Jr. yes yes excuse	
Rep. Brigida DLG. Ichihara yes Rep. Dino M. Jones yes Rep. Alejo M. Mendiola, Jr. excuse	
Rep. Dino M. Jones yes Rep. Alejo M. Mendiola, Jr. excuse	
Rep. Alejo M. Mendiola, Jr. excuse	
1 0	
Rep. Norman S. Palacios yes	d
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

<u>Speaker Fitial</u>: House Bill No. 12-188, House Draft 1, passes the House on First and Final Reading. Floor Leader?

<u>Floor Leader Babauta</u>: Mr. Speaker, I now move for the passage of House Bill No. 12-177, Committee Substitute 1, under Standing Committee Report 12-120.

The motion was seconded.

H. B. NO. 12-177, CS1: THE TOXIC SUBSTANCES EXPOSURE COMPENSATION ACT.

There was no discussion raised.

The Clerk called the roll on the motion to pass House Bill No. 12-177, Committee Substitute 1, on First and Final Reading as follows:

Rep. Martin B. Ada Rep. David M. Apatang Rep. Jesus T. Attao	excused excused
Rep. Oscar M. Babauta	yes 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	yes
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	yes
Rep. Maria "Malua" T. Peter	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Speaker Benigno R. Fitial	yes

<u>Speaker Fitial</u>: House Bill No. 12-177, Committee Substitute 1, passes the House on First and Final Reading. Floor Leader?

<u>Floor Leader Babauta</u>: Mr. Speaker, thank you. I now move for the passage of House Bill No. 12-209 under Standing Committee Report 12-121.

The motion was seconded.

H. B. NO. 12-209: A BILL FOR AN ACT TO REPEAL AND REENACT 1 CMC 1601-1616; AND FOR OTHER PURPOSES.

There was no discussion raised.

The Clerk called the roll on the motion to pass House Bill No. 12-188, House Draft 1, on First and Final Reading as follows:

excused excused yes
yes
yes
excused
yes
excused
yes

<u>Speaker Fitial</u>: House Bill No. 12-209 passes the House on First and Final Reading. Floor Leader?

<u>Floor Leader Babauta</u>: Thank you, Mr. Speaker. Mr. Speaker, I now move for the passage of House Bill No. 12-122, House Draft 1, under Standing Committee Report No. 12-122, on First and Final Reading.

The motion was seconded.

H. B. NO. 12-122, HD1: A BILL FOR AN ACT TO ESTABLISHED A SPECIAL CIP ACCOUNT FOR PRECINCT III; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion?

Floor Leader Babauta: Mr. Speaker?

Speaker Fitial: Floor Leader?

<u>Floor Leader Babauta</u>: Mr. Speaker, earlier I consulted with the author and with this, Mr. Speaker, I move for the suspension of Rule IX, Section 11 so that I may offer a simple oral floor amendment.

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Proceed, Floor Leader.

<u>Floor Leader Babauta</u>: Thank you, Mr. Speaker. Mr. Speaker, my oral Floor Amendment will be on line 23 item number 3, after "San Vicente." And insert the word "And Chalan Kanoa-entrance to U. S. Post Office".

The motion was seconded and carried by voice vote.

Speaker Fitial: The motion carries. Further discussion? Roll call.

The Clerk called the roll on the motion to pass House Bill No. 12-122, House Draft 2, on First 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	yes
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.	excused
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

<u>Speaker Fitial</u>: House Bill No. 12-122, House Draft 2, passes the House on First and Final Reading. Floor Leader?

<u>Floor leader</u>: Thank you, Mr. Speaker. Mr. Speaker, I now move for the passage on First and Final Reading House Bill No. 12-149 under Standing Committee Report 12-123.

The motion was seconded.

H. B. NO. 12-149: A BILL FOR AN ACT TO AMEND SUBSECTION 2 OF SECTION 2 OF PUBLIC LAW 11-43; AND FOR OTHER PURPOSES.

There was no discussion raised.

The Clerk called the roll on the motion to pass House Bill No. 12-149 on First 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	yes
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.	excused
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

<u>Speaker Fitial</u>: House Bill No. 12-149 passes the House on First and Final Reading. Miscellaneous.

MISCELLANEOUS BUSINESS

The Chair recognized Rep. Attao.

<u>Rep. Attao</u>: We jus finished passing House Bill No. 12-209, I will strongly recommend, Mr. Speaker, to the Chairman of the Ways and Means Committee to make certain that the Youth Congress for their compensation be budgeted for the year 2001.

<u>Speaker Fitial</u>: Further Miscellaneous? Representative Rosiky Camacho?

Chairman Rosiky Camacho: I thought we are on the Announcements, Mr. Speaker, sorry.

Speaker Fitial: If there is no further Miscellaneous, Announcements.

ANNOUNCEMENTS

The Chair recognized Rep. Rosiky Camacho.

<u>Chairman Rosiky Camacho</u>: Mr. Speaker, PUTC Committee is requesting the presence of the Committee members and all other House members that would like to go on a field trip with PUTC to some of the water wells and the other areas of the CNMI for information and further enrichment of our hearts and minds, on Monday. At 8:30n a.m., we will be meeting CUC, the bus will come up here and then we will go on a field trip. After the field trip, I try to secure the lunch at Halinas Kitchen so you can all have your lunch provided that you all go on field trip. Thank you, Mr. Speaker.

Speaker Fitial: Representative Jones?

<u>Chairman Jones</u>: Judiciary and Governmental Operations Committee will be conducting Public Hearing on July 27 that is on a Thursday, relative to the Election Bill, at 10:00 a.m. in Tinian.

Speaker Fitial: Further Announcements? If none, Floor Leader.

Floor Leader Babauta: Mr. Speaker, I move for adjournment subject to the call of the Chair.

The motion was seconded and carried by voice vote.

Speaker Fitial: The House stand adjourn subject to the call of the Chair.

The House adjourned at 4:30 p.m. subject to the call of the Chair.

Respectfully submitted,

Joan P. Kaipat, Journal Clerk House of Representatives