



House Journal

SECOND REGULAR SESSION, 2002

Fourth Day

October 2, 2002

The House of Representatives of the Thirteenth Northern Marianas Commonwealth Legislature convened in its **Fourth Day, Second Regular Session** on **Wednesday, October 2, 2002**, at **9:55 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Heinz S. Hofschneider, Speaker of the House, presided.

A moment of silence was observed.

In accordance with Rule XIII, § 2(a), **sixteen** members were recorded present.

Speaker Hofschneider: Representative Herman T. Palacios is on medical leave and is recuperating and recovering quite well. Representative Norman S. Palacios is still under suspension until next week and Representative Benjamin B. Seman is officially excused.

ADOPTION OF JOURNALS

Floor Leader Attao moved for the adoption of the Journals for the 1st and 2nd Day, Second Regular Session, was seconded and carried by voice vote.

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 13-182: A Bill for an Act to amend 4 CMC § 2124 (m) to expand expenditure authority for the Marianas Visitors Authority for promotional expenses; and for other purposes.

Offered by: Rep. Francisco DLG. Aldan
Referred to: Committee on Tourism

H. B. NO. 13-183: A Bill for an Act to designate the Department of Lands and Natural Resources as the administering authority over those islands protected under NMI Const. Art. XIV, § 2.

Offered by: Rep. Arnold I. Palacios and twelve others
Referred to: Committee on Natural Resources

H. B. NO. 13-184: A Bill for an Act to separate the Division of Corrections from the Department of Public Safety, and to elevate it to Department within the Executive Branch.

Offered by: Rep. William S. Torres
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 13-185: A Bill for an Act to promote re-investment in the Commonwealth of the Northern Mariana Islands (CNMI) by leveraging CNMI Government deposits with qualified financial and lending institutions licensed and doing business in the CNMI; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Commerce

H. B. NO. 13-186: A Bill for an Act to amend Public Law 12-61 to mandate that all deposits of public funds made by the CNMI Government, including deposits of autonomous agencies are fully protected and secured or collateralize against unwarranted risks by pledging deposits at 120 percent of bank assets; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Commerce

H. B. NO. 13-187: A Bill for an Act to amend the Youth Affairs Act of 2001; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 13-188: A Bill for an Act to conform to the intent of the CNMI Constitution; to ensure that the Mayors exercise their responsibilities with more independence; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 13-189: A Bill for an Act to establish a system of Commonwealth Trade Mark registration and an office of Trade Mark registration; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Commerce

H. B. NO. 13-190: A Bill for an Act to assure, insofar as possible, safe and healthful working conditions of all working men and women in the Commonwealth of the Northern Mariana Islands; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Commerce

H. B. NO. 13-191: A Bill for an Act to prohibit smoking in Commonwealth government workplaces; and for other purposes.

Offered by: Rep. Andrew S. Salas
Referred to: Committee on Health and Welfare

H. B. NO. 13-192: A Bill for an Act to provide a deferment on the payment of excise taxes pursuant to 4 CMC § 1402(a)(1) thru (21); and for other purposes.

Offered by: Rep. Andrew S. Salas
Referred to: Committee on Ways and Means

H. B. NO. 13-193: A Bill for an Act to amend 4 CMC §§ 5941 (a) to remove the requirement for a \$100,000 security deposit for long-term business certificate applicants; and for other purposes.

Offered by: Rep. Andrew S. Salas
Referred to: Committee on Commerce

H. B. NO. 13-194: A Bill for an Act to repeal and reenact 4 CMC subsection 1302(a); and for other purposes.

Offered by: Rep. Andrew S. Salas and one other
Referred to: Committee on Ways and Means

H. B. NO. 13-195: A Bill for an Act to amend 4 CMC § 1503 (c), created by section 1503 (c) of Public Law 9-22; and for other purposes.

Offered by: Rep. Stanley T. Torres
Referred to: Committee on Ways and Means

Rep. S. Torres: Mr. Speaker and colleagues, I ask that this bill be placed on today's calendar for action. Thank you.

Rep. Babauta: No objection.

Speaker Hofschneider: Does the bill come with committee report?

Rep. S. Torres: No committee report yet, but it has to be discussed on the calendar, sir.

Speaker Hofschneider: Okay.

H. B. NO. 13-196: A Bill for an Act to define the offense of abuse of family and household members, establish corresponding penalties; and for other purposes.

Offered by: Rep. Gloria DLC. Cabrera and six others
Referred to: Committee on Health and Welfare

H. B. NO. 13-197: A Bill for an Act to re-appropriate a portion of the remaining fund balance from P. L. No. 11-119 and S. L. D. R. 12-2; and for other purposes.

Offered by: Rep. Arnold I. Palacios and six others
Referred to: Committee on Ways and Means

H. B. NO. 13-198: A Bill for an Act to amend 9 CMC §§ 4108 (c) and (d); and for other purposes.

Offered by: Rep. Jesus T. Attao and one other
Referred to: Committee on Judicial & Governmental Operations

H. B. NO. 13-199: A Bill for an Act to require refunds for security deposits be issued in a timely manner.

Offered by: Rep. Manuel A. Tenorio and ten others
Referred to: Committee on Ways and Means

H. L. B. NO. 13-034: A Local Bill for an Act to re-appropriate the sum of \$185,000 appropriated by H. L. B. NO. 13-003, D1, Saipan Local Law No. 13-03, from the fees collected by Saipan Local Law No. 11-2 for the San Antonio Elementary School Walk-Way Cover. [First Appearance]

Offered by: Rep. Pedro P. Castro

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 13-074: A House Resolution to recognize and congratulate Tanapag Elementary School for earning a six-year accreditation term from the Western Association of Schools and Colleges.

Offered by: Rep. Francisco DLG. Aldan

H. R. NO. 13-075: A House Resolution to request the Honorable Juan N. Babauta, Governor of the Commonwealth of the Northern Mariana Islands, to dedicate the Haruji Matsue Sugar King in central Garapan, Saipan for the development of a Northern Marianas-Japan Cultural Center, and to seek assistance from the Northern Marianas Japanese community, including non-governmental organizations in Japan such as the Japan/CNMI Goodwill Friendship Association, Japan Entrepreneurs and President Association, Japan/CNMI Parliamentary League of Friendship, Japan-America Student Conference, Japanese Chamber of Commerce, among others in a cooperative effort to build, operate and provide maintenance for the center ; and for other purposes.

Offered by: Rep. William S. Torres and seventeen others

H. R. NO. 13-076: A House Resolution expressing the sense of the Thirteenth Northern Mariana Islands House of Representatives relative to the unfunded matching requirement on capital improvement programs nor originally delineated pursuant to Article VII, Section 701 of U.S. Public Law 94-241 in the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America; and for other purposes.

Offered by: Rep. William S. Torres and seventeen others

Rep. W. Torres: Mr. Speaker, I would like both resolutions to be a Committee of the Whole Resolutions and I would appreciate it if we can entertain it today. Thank you.

Speaker Hofschneider: With the exception H. R. NO. 13-076, the floor may consider taking up the other resolutions.

H. R. NO. 13-077: A House Resolution respectfully urging Governor Juan N. Babauta, Resident Representative Pedro A. Tenorio and Department of Public Safety Commissioner Edward C. Camacho to seek federal assistance to assign federal detectives on a temporary duty assignment in the CNMI to assist local detectives close the murder and other serious cases.

Offered by: Rep. Pedro P. Castro and seven others

H. R. NO. 13-078: A House Resolution recognizing and congratulating Japan Airlines on 25 years of service in the CNMI.

Offered by: Rep. Francisco DLG. Aldan and seventeen others

H. R. NO. 13-079: A House Resolution to express deep appreciation and to recognize the social and economic contributions and sacrifices made by the community from the Freely Associated States of Micronesia in the Commonwealth.

Offered by: Rep. Manuel A. Tenorio and seven others

H. R. NO. 13-080: A House Resolution urging the Honorable Governor Juan N. Babauta to initiate trade missions to the United States in order to revitalize the economy by generating sales opportunities for the local garment industry.

Offered by: Rep. Manuel A. Tenorio and nine others

H. J. R. NO. 13-014: A House Joint Resolution to request the Governor, MPLA Commissioner and the Board of Directors of Marianas Public Land Authority to designate 8,926 square meters of public land on Lot # 009 D 15 in Lower Navy Hill for sport and facilities and public park adjacent to the ponding basin; and for other purposes.

Offered by: Rep. Arnold I. Palacios and seven others

Speaker Hofschneider: Any other resolutions? None. If there's no objection on the floor, I would like to go back to Prefiled and Introduction of Bills. I have a bill to introduce.

There being no objection, the House went back to Prefiled and Introduction of Bills.

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 13-200: A Bill for an Act to amend Public Law 13-24 (Appropriations and Budget Authority Act of 2003).

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

Speaker Hofschneider: The purpose of this bill is to correct an error in the Public Law relating to the Commonwealth Utilities Corporation budget for the Fiscal Year 2003 as submitted and passed. It identified the previous year's level which is several million dollars from the actual submission. If there's no objection from the floor, I would like to place this for consideration?

Several members voiced, "no objection."

MESSAGES FROM THE GOVERNOR

GOV. COMM. 13-303 – August 30, 2002 – Informing the Legislature that he signed H. B. NO. 13-031, (re Office of Adult Probation Supervision) into **Public Law 13-22**.

GOV. COMM. 13-304 – September 1, 2002 – Certification for vacant position at the Department of Public Health.

GOV. COMM. 13-305 – September 1, 2002 – Certification of Salary in Excess of \$50,000.00 for Dr. Thomas G. Salopek.

GOV. COMM. 13-306 – September 3, 2002 – Clarification on revised 2002 revenue projection.

GOV. COMM. 13-307 – September 4, 2002 – Re: recall of H. B. NO. 13-171, HD1.

GOV. COMM. 13-308 – September 5, 2002 – P.L. 11-6 Exemption for Department of Public Health.

GOV. COMM. 13-309 – September 5, 2002 – P.L. 11-6 Exemption for Department of Public Health.

GOV. COMM. 13-310 – P.L. 11-6 Exemption for MedPharm.

GOV. COMM. 13-311 – September 9, 2002 – Informing the Legislature that he signed S. B. NO. 13-22 (re To amend 2 CMC, Division 4 § 4144) into **Public Law 13-23**.

GOV. COMM. 13-312 – September 9, 2002 – Certification for vacant position at the Department of Community and Cultural Affairs, Tinian Office.

GOV. COMM. 13-313 – September 9, 2002 – P.L. 11-6 Exemption for Kingfisher Golf Links.

GOV. COMM. 13-314 – September 9, 2002 – P.L. 11-6 Exemption for SAM Saipan Mugen, Inc. dba Octopus Army.*

GOV. COMM. 13-315 – September 10, 2002 – Informing the Legislature that he disapproved H.B. NO. 13-171, HD1 (Beautification Tax).

GOV. COMM. 13-316 – September 10, 2002 – Informing the Legislature that he signed H.B. NO. 13-170, HD1 (Appropriations and Budget Authority Act of 2003) into **Public Law 13-24**. [With line item vetoes]

GOV. COMM. 13-317 – September 12, 2002 – P.L. 11-6 Exemption for Island Gear Surf Shop.

GOV. COMM. 13-318 – September 12, 2002 – P.L. 11-6 Exemption for South Pacific Galaxy Corporation.

GOV. COMM. 13-319 – September 12, 2002 - P.L. 11-6 Exemption for Grand-SV Corporation dba Troika Show Bar.

GOV. COMM. 13-320 – September 12, 2002 - P.L. 11-6 Exemption for L & T Group of Companies, Ltd.

GOV. COMM. 13-321 – September 12, 2002 - P.L. 11-6 Exemption for Mode Tour Corporation dba “E & F Tours”.

GOV. COMM. 13-322 – September 13, 2002 - Certification for vacant positions at the Department of Public Works.

GOV. COMM. 13-323 – September 13, 2002 - Certification for vacant positions at the Office of the Mayor of Tinian and Aguiguan.

GOV. COMM. 13-324 – September 13, 2002 - Certification for vacant positions at the Office of the Mayor of Tinian and Aguiguan.

GOV. COMM. 13-325 – September 13, 2002 - Certification for vacant positions at the Department of Public Health.

GOV. COMM. 13-326 – September 17, 2002 – Certification for vacant position at the Department of Public Health.

GOV. COMM. 13-327 – September 17, 2002 – P.L. 11-6 Exemption for Marianas Visitors Authority.

GOV. COMM. 13-328 – September 20, 2002 – Certification for vacant position at the Governor’s Office.

GOV. COMM. 13-329 – September 20, 2002 – Informing the Legislature that he signed H. L. B. NO. 13-030, D1 (re Appropriation of \$37,323.00 for the operations of the Office of the Mayor of Saipan) into **Saipan Local Law 13-9**.

GOV. COMM. 13-330 – September 20, 2002 – Informing the Legislature that he signed H. B. NO. 13-161, HD1 (To Amend the Land Compensation Act of 2002) into **Public Law 13-25**.

GOV. COMM. 13-331 – September 25, 2002 – Informing the Legislature that he will meet with Mr. David B. Cohen, Deputy Secretary of the Department of the Interior regarding the capital improvement funding agreement between the United States and the CNMI.

GOV. COMM. 13-332 – September 26, 2002 – Certification for vacant position at the Emergency Management Office on Rota.

Speaker Hofschneider: Any comments on the Messages from the Governor?

Floor Leader Attao: Mr. Speaker?

The Chair recognized the Floor Leader.

Floor Leader Attao: On GOV. COMM. 13-316 relative to the Appropriation and Budget Authority Act of Fiscal Year 2003, I move that the House override all line item vetoes on H. B. NO. 13-170, HD1, Appropriation and Budget Authority Act of Fiscal Year 2003 pursuant to Rule IX, Section 14.

The motion was seconded.

Speaker Hofschneider: Motion pursuant to House Rule for the override of specific line item vetoes for the year 2003 Budget Act is seconded. Discussion on the motion?

Several members voiced, “ready.”

Speaker Hofschneider: Ready? Vice Speaker Tenorio?

Vice Speaker Tenorio: Thank you, Mr. Speaker. If I recall correctly during our leadership meeting the legal counsel is supposed to look at the fourteen items that the Governor line item vetoed and to give the members the opportunity to look at it before we take action. I just wonder if that is by-passed so that we can act on this for whatever reason?

Speaker Hofschneider: Yes. After discussing with our counsel, the line item vetoed sections of the budget is the intent of this House and reflected on the consistent views by the Senate reciprocating without amendments. Therefore, the entire provisions of the budget is a product of the House consistent with our voting for the purposes of emplacing those guidelines for the expenditure of 2003 budget. In comparison, the Governor submitted his justification for those specific line item vetoes particularly some sections that he has decided to strikeout in its entirety. More importantly to consider is the fact that some of those line item vetoed are not permitted by law or constitution. One specific example I believe that we’ve discussed a length in the leadership is that the line item veto exercised by the Governor attempts to reverse the contention of the Legislature, that’s not permitted -- from a negative to a positive or from a positive to a negative. The line item veto authority is not supposed to be used in that sense. The overriding factor in disagreement with the line item vetoes from the Governor is simply that it is the province of this House that we have emplaced some guidelines and we firmly believe those guidelines to be appropriate for the expenditure of public funds for the year 2003. Put that together with the Message from the Governor and we see no substantive argument raised by the Message from the Governor. No legal and no constitutional issue was raised in his line item vetoes. It is a matter of difference in policy opinion. On one of the sections, which is critical for the Legislature and

the Judiciary is on the issue of limitation -- limits on reducing judiciary and legislative allotment authority. As you recall, this is the first time that the Legislature control that section under impoundment or recession or reduction of allotments to the extent that the Governor is not deprived of that authority but limits its capability, its authority by imposing a three percent rule. He can exercise that section of the Planning and Budgeting Act if the revenue declines appropriately across the board reduction. The safeguard on imposing a three percent maximum ceiling for the Legislative and the Judicial Branch simply preserves the essence of separation of powers. What we have gone through this fiscal year is an exercise in encroachment of the separation of powers when substantive reduction in the appropriation of the budget of the other three branches, the second and the third, the Judicial and the Legislative, almost to a point of incapacitating or paralytic objectivity, it is the concern of this House to preserve its nature and its existence. He disagrees with the three percent rule. Unless we enjoy pain by having to weather out again another twelve percent or sixteen percent cut of each members budget then I rest my case. Three percent is a good rule, it was tested in Connecticut and we did not re-invent the wheel. We follow by examples and in other jurisdictions it is appropriate to preserve the three-branch entity of government. Usurpation by incapacitation, usurpation of power or the jurisdiction of the third branch by reducing the ability of the third branch to function appropriately is in fact an encroachment in the authority and the separation of powers of the third branch. He can disagree all he wants, but it is this house's privilege and province to preserve its very existence. If we do not understand that then we fail to understand the three branch of government and the separation and balance of powers. It's not about money, it's the preservation principal that attacks that section that the Governor disagrees with the Legislature. Having said that, all in all no legal, no constitutional issue was raised. It's a matter of opinion and indifference with an administration. We have to resolve the issue of salary cap and sanctions. We have to control government runaway expenditures. It is the responsibility of the Legislature, particularly the House, to appropriate. The most cardinal of all responsibility of the Legislature rest with appropriation and it rests with the House of Representatives. Not with the Executive Branch, not with the Senate, the House of Representatives and it is found in the Constitution. Unless we disagree with the Constitution then, again, I rest my case. The issue of having controls, an oversight of expenditure by providing those specific languages for the expenditure of certain departments and agencies appropriations or allotments is an historical practice of this government. We did not re-invent the wheel, we did not invent a new wheel, it is, and it has always been, and it has worked, the oversight power of the House and the entire Legislature. If you don't understand that then you have a misconception of your role as a representative. If we do not understand that prescription then we failed to represent the people. Nothing in the Budget Act that was vetoed impairs, diminishes or deletes the Governor's ability to administer programs and services under the Executive Branch, nothing. Strict guidelines are for a purpose quite flexible in nature if one wants to work with those provisions of the Budget Act and as a political suggestion. It is not fitting for a House or a member to spit on the ground and lick it back. The virtues of having casted your "yea" vote must be preserved, the essence of principally governed individuals. We enplaced our intentions clearly, we voted unanimously for those prescriptions in the budget, we ought to do the same and consistent with the override being fully supported. Ready?

Vice Speaker Tenorio: Clarification, Mr. Speaker.

The Chair recognized the Vice Speaker.

Vice Speaker Tenorio: Thank you, Mr. Speaker. Mr. Speaker, I don't intend to raise any issue that we have on the budget based on the Governor's message for the fact that they're not properly, legally sound. I only raised the issue because we have discussed during the leadership meeting that the legal counsel will come up with the legal reasons behind our plan to override the veto message by the Governor. I realize that everybody in this chamber is aware that he has his own responsibility as a Representative and we also know that the appropriations and the budget is in the purview of the House and you don't have to repeat that. And I don't think that we're licking up our saliva by asking the question. I just want to raise the question because I want everybody to make a sound decision when they override the veto, including myself. I'm glad that you took your time to at least address the various concerns that were raised by the Governor in his veto message. That's all, Mr. Speaker.

Speaker Hofschneider: Thank you.

Floor Leader Attao: Ready.

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to override line item vetoes on H. B. NO. 13-170, HD1 is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	absent
Rep. Norman S. Palacios	absent
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	excused
Rep. Ramon A. Tebuteb	no
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: The vote requirement for an override is two-thirds, with a vote of fourteen “yes”, the override is hereby adopted by the House.

Rep. Babauta: Clarification, Mr. Speaker.

Speaker Hofschneider: Point of clarification.

Rep. Babauta: I heard the Acting Clerk say thirteen?

Speaker Hofschneider: Fourteen.

Rep. Babauta: Thank you, Mr. Speaker.

SENATE COMMUNICATIONS

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the acceptance of SEN. COMM. 13-91, SEN. COMM. 13-92, SEN. COMM. 13-93, SEN. COMM. 13-94, SEN. COMM. 13-95, SEN. COMM. 13-96 and SEN. COMM. 13-97.

The motion was seconded by Rep. Babauta.

SEN. COMM. 13-91: Transmittal of S. B. NO. 13-96, SD1, entitled, "A Bill for an Act to amend the Northern Marianas Retirement Fund Act of 1988 to allow 'Excepted Service' and 'Contract' employees categorized as 'Class I members' prior to May 7, 1989 or categorized as 'Class I members' on or after the date of the enactment of this legislation to elect to become 'Class II members' subject to the restrictions set forth herein; and for other purposes," which the Senate passed on September 12, 2002.

SEN. COMM. 13-92: Transmittal of S. B. NO. 13-97, SD1, entitled, "A Bill for an Act to establish a Department of Public Safety Operating Fund by allocating twenty five percent (25%) of all criminal and civil fines and all revenues collected by the courts of the Commonwealth pursuant to 1 CMC § 3403 or fines or fess collected pursuant to any other law and remitted or paid to the Commonwealth Treasury pursuant to 7 CMC § 3205 and 7 CMC § 3251 to the Department of Public Safety Operating Fund," which the Senate passed on September 12, 2002.

SEN. COMM. 13-93: Transmittal of S. B. NO. 13-98, SD1, entitled, "A Bill for an Act to regulate road side commerce; and for other purposes," which the Senate passed on September 12, 2002.

SEN. COMM. 13-94: Transmittal of S. B. NO. 13-100, entitled, "A Bill for an Act to amend 1 CMC §2641(a), to require the appointment of one member each form the First and Second Senatorial District to the Medical Profession Licensing Board; and for other purposes," which the Senate passed on September 12, 2002.

SEN. COMM. 13-95: Transmittal of S. B. NO. 13-101, entitled, "A Bill for an Act to amend the exemptions to the Compensation Adjustment Act to provide that medical doctors when serving as the Secretary of Public Health or resident department heads of local Departments of Public Health may elect to receive salaries currently received as medical doctors as opposed to that salary assigned by law for Public Health Secretaries and Resident Heads; and for other purposes," which the Senate passed on September 12, 2002.

SEN. COMM. 13-96: Transmitting the following:

(1) S. J. R. 13-9, entitled, "A Senate Joint Resolution requesting the Office of the Public Auditor to investigate immediately the facts and circumstances surrounding the recent, simultaneous termination of 11 employees of the Northern Marianas College, some of whom held managerial positions and had been with the college for more than 10 years, by conducting personal interviews with the 11 employees and, as deemed necessary, past and present members of the Board of Regents, college administrators, staff, faculty, and students, and other means by which to determine that the terminations were warranted and not properly motivated," which the Senate adopted on September 27, 2002.

(2) S. B. 13-83, entitled, "A Bill for an Act to amend the Commonwealth state funeral statute; and for other purposes," which the Senate passed on September 27, 2002.

Returning the following:

(3) H. B. NO. 13-106, SD1, re CDA-CUC Settlement Agreement, which the Senate passed with amendments on September 27, 2002.

(4) H. B. NO. 13-107, SD1, re CDA-CUC Settlement Agreement, which the Senate passed with amendments on September 27, 2002.

(5) H. B. NO. 13-131, SD1, re Salary Approval, which the Senate passed with amendments on September 27, 2002.

SEN. COMM. 13-97: Return on H. B. NO. 13-126, HS1, entitled, "A Bill for an Act to repeal Section 3 of PL 13-1 and 1 CMC § 8112; to repeal and re-enact 1 CMC §§ 2051,2052, 2101, 8131 and §§ 8121 through 8125; and for other purposes," which the Senate passed on September 27, 2002.

Speaker Hofschneider: Motion to accept SEN. COMM. 13-91 through SEN. COMM. 13-97 has been seconded. Discussion on the motion?

Rep. S. Torres: Mr. Speaker.

The Chair recognized Representative Torres.

Rep. S. Torres: I'd like to ask the Floor Leader to clarify SEN. COMM. 13-96. I think there's mixture of messages should be clarified and may be separated.

Floor Leader Attao: This is only for the acceptance of the Senate Communications.

Speaker Hofschneider: The motion is simply to accept the transmittals down to the House from the Senate. We'll take up the action on adoption of the Senate Joint Resolution.

Rep. S. Torres: I just want to put him on alert.

Speaker Hofschneider: Thank you. Ready?

Vice Speaker Tenorio voiced, "ready."

There was no further discussion, and the motion to accept SEN. COMM. 13-91, SEN. COMM. 13-92, SEN. COMM. 13-93, SEN. COMM. 13-94, SEN. COMM. 13-95, SEN. COMM. 13-96 and SEN. COMM. 13-97 was carried by voice vote.

HOUSE COMMUNICATIONS

HSE. COMM. 13-22 – September 3, 2002 – Representative Castro's trip report for the period of July 28, to August 10, 2002.

HSE. COMM. 13-23 – September 23, 2002 – From Floor Leader Attao re certification of election of the 23 members of the Fifth CNMI Youth Congress.

Speaker Hofschneider: Under House Communications. None?

Rep. S. Torres: Can I reserve that for later?

Speaker Hofschneider: You may, Chairman Torres.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 13-70 – August 30, 2002 – From Nace N. Soalablai, Acting SAPLR, acknowledging receipt of H. R. NOS. 13-044 through 13-046.

DEPT. & AGENCY COMM. 13-71 – August 30, 2002 – From Nace N. Soalablai, Acting SAPLR, acknowledging receipt of H. R. NOS. 13-056 and 13-065 through 13-069.

DEPT. & AGENCY COMM. 13-72 – August 30, 2002 – From Nace N. Soalablai, Acting SAPLR, acknowledging receipt of H. C. R. NO. 13-001.

DEPT. & AGENCY COMM. 13-73 – September 5, 2002 – From Nace N. Soalablai, Acting SAPLR, acknowledging receipt of H. R. NO. 13-070.

DEPT. & AGENCY COMM. 13-74 – September 9, 2002 – From Nace N. Soalablai, Acting SAPLR, acknowledging receipt of H. R. NOS. 13-071 through 13-073.

DEPT. & AGENCY COMM. 13-75 – September 12, 2002 – From Nace N. Soalablai, Acting SAPLR, acknowledging receipt of H. J. R. NOS. 13-008 and 13-009.

DEPT. & AGENCY COMM. 13-76 – Transmitting certified copies of the Commonwealth Ports Authority Board Resolutions.

There was no discussion.

OTHER COMMUNICATIONS

Misc. Comm. 13-68 – August 27, 2002 – From Administrative Officer Frances C. Muna, Saipan Municipal Council, transmitting certified copies of the Seventh Saipan & Northern Islands Municipal Council Resolution Nos. 7SMC-3RS-14 through 7SMC-3RS-64.

Misc. Comm. 13-69 – August 27, 2002 – From Administrative Officer Frances C. Muna, Saipan Municipal Council, transmitting certified copies of the Seventh Saipan & Northern Islands Municipal Council Resolution Nos. 7SMC-3RS-65 through 7SMC-3RS-73.

Misc. Comm. 13-70 – September 24, 2002 - From Administrative Officer Frances C. Muna, Saipan Municipal Council, transmitting certified copies of the Seventh Saipan & Northern Islands Municipal Council Resolution Nos. 7SMC-3RS-74 through 7SMC-3RS-78.

Misc. Comm. 13-71 – September 30, 2002 – From Director Walter Macaranas, Legislative Bureau, re Fifth CNMI Youth Congress Inauguration souvenir program booklet.

Speaker Hofschneider: Under Misc. Comm. 13-71, consistent with HSE. COMM. 13-23 from the Floor Leader certifying the election of the 23 members on the Fifth CNMI Youth Congress, we take this opportunity to extend the House's congratulations to the incoming members of the Fifth CNMI Youth Congress.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. Mr. Speaker, I move for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the adoption of S. C. R. NO. 13-048, S. C. R. NO. 13-049, S. C. R. NO. 13-050, S. C. R. NO. 13-051, S. C. R. NO. 13-052, S. C. R. NO. 13-053 and S. C. R. NO. 13-054.

The motion was seconded by Rep. Babauta.

Speaker Hofschneider: Floor Leader can you include S. C. R. NO. 13-047 for purposes of adopting the Committee Report for discussion purposes only?

Floor Leader Attao: Mr. Speaker, the minute that we adopt S. C. R. NO. 13-047 it will be automatically place on today's calendar.

Speaker Hofschneider: The bill itself, the Committee Report has been filed and just include a subsidiary motion for the adoption of the committee report for discussion purposes.

Floor Leader Attao: S. C. R. NO. 13-047?

Speaker Hofschneider: Correct.

Floor Leader Attao: Subsidiary motion to include S. C. R. NO. 13-047.

The motion was seconded by Rep. Babauta.

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-047 ... Suspension motion correct?

Floor Leader Attao: Yes.

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-047 through S. C. R. NO. 13-054 has been seconded. Discussion on the suspension motion?

Several members voiced, "ready."

There was no discussion; and the motion was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-048.

The motion was seconded.

S. C. R. NO. 13-048: Reporting on H. B. NO. 13-062, entitled, "To ensure that the labeling of alcoholic beverages imported for sale in the Commonwealth contain adequate health warnings and comply with federal laws and regulations and to ensure that the Commonwealth Department of Commerce, Alcohol Beverage and Tobacco Control Division has the power to enforce the requirement for such labeling." *Your Committee on Commerce recommends that the House file the Bill.*

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-048 has been seconded. Discussion on the Standing Committee Report? Representative Cabrera?

Rep. Cabrera: Thank you, Mr. Speaker. In reference to S. C. R. NO. 13-052, I would like to offer a Committee Substitute on H. B. NO. 13-063, Mr. Speaker.

Speaker Hofschneider: Committee Report or a bill substitute?

Rep. Cabrera: The bill, the Committee Substitute in reference to the Standing Committee.

Floor Leader Attao: Wait until we go down to H. B. NO. 13-063.

Rep. Cabrera: Okay. I defer to the ...

Speaker Hofschneider: Thank you. Any other discussion on S. C. R. NO. 13-048 reference to H. B. NO. 13-062? Vice Speaker?

Vice Speaker Tenorio: Clarification, Mr. Speaker. Mr. Speaker, by adopting S. C. R. NO. 13-048 we're in fact filing the bill. Is that correct?

Speaker Hofschneider: Correct.

Vice Speaker Tenorio: Okay. Thank you.

Speaker Hofschneider: Ready?

Several members voiced, "ready."

There was no further discussion; and the motion to adopt S. C. R. NO. 13-048 was carried by voice vote.

Speaker Hofschneider: Motion carried. S. C. R. NO. 13-048 reference to H. B. NO. 13-062 recommending the House to file the bill has been adopted. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-052 relative to H. B. NO. 13-063, CS1.

The motion was seconded by Rep. Babauta.

S. C. R. NO. 13-052: Reporting on H. B. NO. 13 13-063, entitled, "To amend 4 CMC Section 50152 to appropriate the sum of Five Hundred Thirteen Thousand Eight Hundred Thirty-Three Dollars and Sixty Six Cents (\$513,877.66) from the Master Settlement Agreement Trust Fund for the purpose of developing and implementing a CNMI Comprehensive Tobacco Prevention and Control Strategic Plan of Action; and for other purposes." *Your Committee on Health and Welfare recommends that the bill be passed in the substitute form.*

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-052 reference to H. B. NO. 13-063, the Tobacco Settlement has been seconded. Discussion on the committee report?

Several members voiced, "ready."

There was no discussion; and the motion to adopt S. C. R. NO. 13-052 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-049 relative to H. B. NO. 13-064, CS1.

The motion was seconded by Rep. Babauta.

S. C. R. NO. 13-049: Reporting on H. B. NO. 13-064, entitled, "To address public concerns regarding alcoholic beverages without Health Warning Labels and to require the labeling of the actual content; and for other purposes." *Your Committee on Commerce recommends that the bill be passed in the substitute form.*

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-049 reference to H. B. NO. 13-064, Health Warning Labels on Beverages has been seconded. Discussion on the committee report? Any discussion? Ready?

Several members voiced, “ready.”

There was no discussion; and the motion to adopt S. C. R. NO. 13-049 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-050 reference to S. B. NO. 13-32, CS1.

The motion was seconded by Rep. Babauta.

S. C. R. NO. 13-050: Reporting on S. B. NO. 13-032, CS1, entitled, “To reserve areas of public lands on the island of Rota that are suitable for village homesteads, specifically the Finafa and Ginalangan areas; and for other purposes.” *Your Committee on Natural Resources recommends that the bill be passed in the substitute form.*

Speaker Hofschneider: Could you rephrase that? What Standing Committee Report?

Floor Leader Attao: S. C. R. NO. 13-050.

Speaker Hofschneider: Reference to Senate Bill?

Floor Leader Attao: S. B. NO. 13-32, CS1.

Speaker Hofschneider: Short recess.

The House recessed at 10:35 a.m.

RECESS

The House reconvened at 10:36 a.m.

Speaker Hofschneider: We’re back to our session and motion has been seconded for the adoption of S. C. R. NO. 13-050 reference to S. B. NO. 13-32, CS1 and not S. B. NO. 13-50 as it appears on the calendar. Discussion on the adoption of S. C. R. NO. 13-050?

Rep. Babauta voiced, “ready.”

There was no discussion; and the motion to adopt S. C. R. NO. 13-050 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-051 reference to S. B. NO. 13-29, CS1.

The motion was seconded by Rep. Babauta.

S. C. R. NO. 13-051: Reporting on S. B. NO. 13-29, CS1 entitled, "To preserve and designate Lot No. 683 R 01 at as Nieves on the island of Rota for future cultural development; and for other purposes." *Your Committee on Natural Resources recommends that the bill be passed in the substitute form.*

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-051 reference to S. B. NO. 13-29 has been seconded. Discussion on the Standing Committee Report?

Several members voiced, "ready."

There was no discussion; and the motion to adopt S. C. R. NO. 13-051 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-054 reference to S. B. NO. 13-41, SD1.

The motion was seconded by Rep. Babauta.

S. C. R. NO. 13-054: Reporting on S. B. NO. 13-41, SD1, entitled, "To establish a Commonwealth Film, Video and Media Office (herein referred to as the "Northern Mariana Islands Film Office"); and for other purposes. *Your Committee on Commerce recommends the passage of the bill.*

Speaker Hofschneider: Could rephrase that, Floor Leader? Rephrase that again.

Floor Leader Attao: S. C. R. NO. 13-054 reference to S. B. NO. 13-41, SD1.

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-054 reference to S. B. NO. 13-41, SD1 has been seconded. Discussion on the motion?

Several members voiced, "ready."

The Chair recognized Representative Babauta.

Rep. Babauta: Not discussion, Mr. Speaker, but my copy of the committee report has no bill attached to it.

Speaker Hofschneider: Short recess.

The House recessed at 10:40 a.m.

RECESS

The House reconvened at 10: 59 a.m.

Speaker Hofschneider: We're back to our session and we're under Resolution Calendar.

Floor Leader Attao: No, we're still under Standing Committee Reports, Mr. Speaker. We have one more committee report.

The Chair recognized the Floor Leader.

Floor Leader Attao: Yes, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-053.

The motion was seconded by Rep. Babauta.

S. C. R. NO. 13-053: Reporting on H. B. NO. 13-180, entitled, "To protect the fiscal integrity of the Commonwealth government by modifying the provisions of the laws of the Commonwealth relating to amusement machines; and for other purposes." *Your Committee on Ways and Means recommends that the bill be passed in the substitute form.*

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-053 has been seconded. Discussion on the committee report?

Rep. Babauta voiced, "ready."

Speaker Hofschneider: Just for an enlightenment this is what we call a committee report. The Cost Benefit Analysis -- this is the preferred methodology that we all should be conducting. I just thought I'd share that observation with all the committees. Discussion on the committee report? Ready?

Floor Leader Attao: No. In line with that, I would like to commend the Chairman of the Committee on Ways and Means for an excellent job on the S. C. R. NO. 13-053. This is the analysis that will give us a clear picture from the local side to the general fund side, so I commend you, Chairman Torres, for an excellent job.

Rep. S. Torres: Thank you.

Rep. Ada: Second.

Speaker Hofschneider: I take it Floor Leader that you will defend and ensure that all committee reports coming out of the Committee on Ways and Means have to be in this format?

Floor Leader Attao: Yes.

Speaker Hofschneider: Good. Ready for the question?

Several members voiced, "ready."

There was no further discussion; and the motion to adopt S. C. R. NO. 13-053 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Mr. Speaker, if there's no objection, I would like to make a subsidiary motion to the main motion on the suspension of Rule to include S. C. R. NO. 13-055.

The motion was seconded by Rep. Babauta.

Speaker Hofschneider: The subsidiary motion to include S. C. R. NO. 13-055 has been seconded. Discussion on the subsidiary motion?

Several members voiced, "ready."

There was no discussion; and the motion was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-055 reference to H. B. NO. 13-173.

The motion was seconded.

S. C. R. NO. 13-055: Reporting on H. B. NO. 13-173, entitled, “To repeal 9-16, codified as 1 CMC, Part 1, Chapter 7, Article 4, § 2391 through 2394, to re-establish the Division of Veterans Affairs within the Department of Community and Cultural Affairs to the Office of the Governor and to rename it the Office of Military and Veterans Affairs; and for other purposes. *Your Committee on Judiciary & Governmental Operations recommends the passage of the bill.*

Speaker Hofschneider: Motion for the adoption of S. C. R. NO. 13-055 has been seconded. Discussion on the committee report?

Several members voiced, “ready.”

Speaker Hofschneider: This is merely a transfer of the Office of Military Affairs. Ready?

Several members voiced, “ready.”

There was no discussion; and the motion to adopt S. C. R. NO. 13-055 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader?

Floor Leader Attao: Resolution Calendar, Mr. Speaker.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Hofschneider: Under Item 15, Resolution Calendar and I recognize the Floor Leader.

Floor Leader Attao: Three minutes recess, Mr. Speaker, so that I can compile the Resolutions.

Speaker Hofschneider: Short recess.

The House recessed at 11:02 a.m.

RECESS

The House reconvened at 11:11 a.m.

Speaker Hofschneider: We’re back to our session and we’re under the Resolution Calendar.

Floor Leader Attao: Mr. Speaker, point of clarification. If there’s no objection, Mr. Speaker, I would like to go back to Item 12, Reports of Standing Committees.

Speaker Hofschneider: If there’s no objection.

There was no objection, and the House went back to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Speaker Hofschneider: You may proceed.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the adoption of S. C. R. NO. 13-054 reference to S. B. NO. 13-41, SD1.

The motion was seconded.

S. C. R. NO. 13-054: Reporting on S. B. NO. 13-41, SD1, entitled, "To establish a Commonwealth Film, Video and Media Office (herein referred to as the "Northern Mariana Islands Film Office"); and for other purposes. *Your Committee on Commerce recommends the passage of the bill.*

Speaker Hofschneider: Floor Leader, could you just read the title of the bill?

Floor Leader Attao: To establish a Commonwealth Film, Video and Media Office (herein referred to as the "Northern Mariana Islands Film Office"); and for other purposes.

Speaker Hofschneider: Thank you. Motion for the adoption of S. C. R. NO. 13-054 reference to S. B. NO. 13-41 has been seconded. Discussion on the adoption of the Standing Committee Report?

Several members voiced, "ready."

There was no discussion; and the motion to adopt S. C. R. NO. 13-054 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader, under Resolution Calendar?

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the adoption of H. R. NO. 13-074, H. R. NO. 13-075, H. R. NO. 13-077, H. R. NO. 13-078, H. R. NO. 13-079, H. R. NO. 13-080 and H. J. R. NO. 13-014.

The motion was seconded by Rep. Babauta.

Speaker Hofschneider: H. J. R. NO. 13-014?

Floor Leader Attao: H. J. R. NO. 13-014.

Speaker Hofschneider: Thank you. Suspension motion for the adoption of H. R. NO. 13-074, H. R. NO. 13-075, H. R. NO. 13-077, H. R. NO. 13-078, H. R. NO. 13-079, H. R. NO. 13-080 and H. J. R. NO. 13-014 has been seconded. Discussion on the suspension motion?

Several members voiced, "ready."

There was no discussion; and the motion was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader, motion for the adoption of the resolutions.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the adoption of H. R. NO. 13-074, H. R. NO. 13-075, H. R. NO. 13-077, H. R. NO. 13-78, H. R. NO. 13-079, H. R. NO. 13-080 and H. J. R. NO. 13-014.

The motion was seconded.

H. R. NO. 13-074: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE TANAPAG ELEMENTARY SCHOOL FOR EARNING A SIX-YEAR ACCREDITATION TERM FROM THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES.

H. R. NO. 13-075: A HOUSE RESOLUTION TO REQUEST THE HONORABLE JUAN N. BABAUTA, GOVERNOR OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, TO DEDICATE THE HARUJI MATSUE SUGAR KING IN CENTRAL GARAPAN, SAIPAN FOR THE DEVELOPMENT OF A NORTHERN MARIANAS-JAPAN CULTURAL CENTER, AND TO SEEK ASSISTANCE FROM THE NORTHERN MARIANAS JAPANESE COMMUNITY, INCLUDING NON-GOVERNMENTAL ORGANIZATIONS IN JAPAN SUCH AS THE JAPAN/CNMI GOODWILL FRIENDSHIP ASSOCIATION, JAPAN ENTREPRENEURS AND PRESIDENT ASSOCIATION, JAPAN/CNMI PARLIAMENTARY LEAGUE OF FRIENDSHIP, JAPAN-AMERICA STUDENT CONFERENCE, JAPANESE CHAMBER OF COMMERCE, AMONG OTHERS IN A COOPERATIVE EFFORT TO BUILD, OPERATE AND PROVIDE MAINTENANCE FOR THE CENTER ; AND FOR OTHER PURPOSES.

H. R. NO. 13-077: A HOUSE RESOLUTION RESPECTFULLY URGING GOVERNOR JUAN N. BABAUTA, RESIDENT REPRESENTATIVE PEDRO A. TENORIO AND DEPARTMENT OF PUBLIC SAFETY COMMISSIONER EDWARD C. CAMACHO TO SEEK FEDERAL ASSISTANCE TO ASSIGN FEDERAL DETECTIVES ON A TEMPORARY DUTY ASSIGNMENT IN THE CNMI TO ASSIST LOCAL DETECTIVES CLOSE THE MURDER AND OTHER SERIOUS CASES.

H. R. NO. 13-078: A HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING JAPAN AIRLINES ON 25 YEARS OF SERVICE IN THE CNMI.

H. R. NO. 13-079: A HOUSE RESOLUTION TO EXPRESS DEEP APPRECIATION AND TO RECOGNIZE THE SOCIAL AND ECONOMIC CONTRIBUTIONS AND SACRIFICES MADE BY THE COMMUNITY FROM THE FREELY ASSOCIATED STATES OF MICRONESIA IN THE COMMONWEALTH.

H. R. NO. 13-080: A HOUSE RESOLUTION URGING THE HONORABLE GOVERNOR JUAN N. BABAUTA TO INITIATE TRADE MISSIONS TO THE UNITED STATES IN ORDER TO REVITALIZE THE ECONOMY BY GENERATING SALES OPPORTUNITIES FOR THE LOCAL GARMENT INDUSTRY.

H. J. R. NO. 13-014: A HOUSE JOINT RESOLUTION TO REQUEST THE GOVERNOR, MPLA COMMISSIONER AND THE BOARD OF DIRECTORS OF MARIANAS PUBLIC LAND AUTHORITY TO DESIGNATE 8,926 SQUARE METERS OF PUBLIC LAND ON LOT # 009 D 15 IN LOWER NAVY HILL FOR SPORT AND FACILITIES AND PUBLIC PARK ADJACENT TO THE PONDING BASIN; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the adoption of the following resolutions: H. R. NO. 13-074, H. R. NO. 13-075, H. R. NO. 13-077, H. R. NO. 13-078, H. R. NO. 13-079, H. R. NO. 13-080 and H. J. R. NO. 13-014 has been seconded. Discussion on any of the resolutions and joint resolution? Any discussion? Representative Babauta?

Rep. Babauta: Short one, Mr. Speaker. On H. J. R. NO. 13-014 the copy that is attached to the resolution I don't know if the drawing is technically in error or what but it seems that the concern lot is encroaching on a private property. Is this correct?

Floor Leader Attao: No. That's is not correct, Mr. Speaker. The total land available on lot # 009 D 15 is 8,926 square meters and that's inclusive of the ponding basin.

Speaker Hofschneider: Thank you.

Rep. Babauta: So clarified, Mr. Speaker.

Speaker Hofschneider: Clarified?

Rep. Babauta: Thank you.

Speaker Hofschneider: Ready?

Several members voiced, "ready."

There was no further discussion; and the motion to adopt H. R. NO. 13-074, H. R. NO. 13-075, H. R. NO. 13-077, H. R. NO. 13-078, H. R. NO. 13-079, H. R. NO. 13-080 and H. J. R. NO. 13-014 was carried by voice vote.

Speaker Hofschneider: Motion carried. Representative Stanley Torres?

Rep. S. Torres: If I may, can we go back to Messages from the Governor?

There was no objection, and the House went back to Messages from the Governor.

MESSAGES FROM THE GOVERNOR

Rep. S. Torres: I would like to make a motion that GOV. COMM. 13-305 be placed on tomorrow's calendar for deliberation.

The motion was seconded by Rep. Babauta.

Speaker Hofschneider: So ordered. Clerk, take note that GOV. COMM. 13-305 reference to salary in excess of \$50,000 for Dr. Thomas Salopek shall appear in tomorrow's calendar. Any other? Representative Torres, you may continue.

Rep. S. Torres: Can we also go back to House Communications for two minutes just so that I can make an official information to the House before I fire my letter to two agencies in the CNMI.

Speaker Hofschneider: With no objection on the floor, we'll go back to Item 7, House Communications.

There was no objection, and the House went back to House Communications.

HOUSE COMMUNICATIONS

Speaker Hofschneider: Representative Torres, you have the floor.

Rep. S. Torres: Mr. Speaker and members, I have a letter prepared here to request the Chairman of the Board of Regents, Northern Marianas College requesting the background check of President Kenneth Wright on the following items: verification of state or any federal conviction, verification of employment, purpose or reason for leaving previous employment, verification of business consulting clients, and verification academic credentials. These questions may seem too irrational but we must know what we are paying for and others. Mr. Speaker and members, another letter that is directed to the Chairman of the Marianas Visitors Authority and Board members reference to the appointment of the current Managing Director Mr. Jonas Ogren whether the Board of Directors diligently performed a background check of Mr. Ogren on verification of state or federal convictions, verification of any conviction from his country of origin, verification of employment, purpose or reason for leaving previous employment, and verification of academic credentials. These questions are too irrational but one of MVA's former employee's squeezed through the crack and we do not need to repeat this. Thank you.

Speaker Hofschneider: Thank you. Floor Leader, move for recess until 9:30 a.m. tomorrow morning.

Floor Leader Attao: Thank you, Mr. Speaker. Mr. Speaker, I move to recess until tomorrow at 9:30 a.m.

The motion was seconded.

Speaker Hofschneider: Motion to recess until tomorrow at 9:30 a.m. has been seconded. Recess.

The House recessed at 11:19 a.m.

Respectfully submitted,

Lavida S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 13-033: To prohibit or restrict the use of self-contained underwater breathing apparatus (SCUBA) and other related devices on commercial and noncommercial fishermen when fishing for reef fish or other types of fish or harvesting other marine life within the lagoon and coastal waters of the municipality of Saipan and the Northern Islands; and for other purposes. (REP. PEDRO P. CASTRO) [2ND APPEARANCE]