



House Journal

SECOND SPECIAL SESSION, 2003

First Day

April 29, 2003

The House of Representatives of the Thirteenth Northern Marianas Commonwealth Legislature convened in its **First Day, Second Special Session**, on **Tuesday, April 29, 2003**, at **9:30 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.

The clerk called the roll. Fourteen members were recorded present; Representatives Francisco DLG. Aldan, Daniel O. Quitugua, Manuel A. Tenorio and Stanley T. Torres came in late.

Speaker Hofschneider: We have a quorum. Those members who are not present will be excused for the day. I believe they're still in their offices.

ADOPTION OF JOURNALS

None

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 13-275: A Bill for an Act to reduce the required investment by investors for major new development or expansion of existing development; and for other purposes.

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

H. B. NO. 13-276: A Bill for an Act to amend the Homestead Act, Title 2, Division 4, Chapter 3, §4308; and for other purposes.

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

The Chair recognized the Vice Speaker.

Vice Speaker Tenorio: Mr. Speaker, I just want the record to show that I'm present for today's session.

The Chair recognized Representative Tebuteb.

H. B. NO. 13-277: A Bill for an Act to appropriate Two Million Two Hundred Dollars (\$2,200,000.00) for the construction of Headstart Centers in the Third Senatorial District; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and seven others
Referred to: Committee on Ways and Means

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 13-124: A House Resolution to recognize, praise and commend the employees of the Commonwealth Utilities Corporation and Kimco Corporation for their tireless and professional assistance to Rota and Guam in the restoration of their power services damaged and shut down by Super Typhoon Pongsona on December 8, 2002.

Offered by: Rep. Joseph P. Deleon Guerrero

H. R. NO. 13-125: A House Resolution supporting the CNMI Department of Public Health's application for Section 330(e) grant through the Health Resources and Services Administration (HRSA) of the United States Department of Health and Human Services for the establishments of a Community Health Center on Lot No. 002-G-459 (Formerly the Youth Detention Center) to serve and address the primary health care needs of all residents residing in Kagman Village (Census District 10) and adjacent areas.

Offered by: Rep. Gloria DLC. Cabrera

The Chair recognized Representative Stanley Torres.

Rep. S. Torres: I want the record to reflect that I'm present for today's session.

Speaker Hofschneider: Okay, thank you. Clerk, take note. Representative Castro.

H. R. NO. 13-126: A House Resolution respectfully authorizing to reprogram the fund balance of \$72,000 appropriated by Saipan Local Law 13-12 to fund several activities in Election Precinct No. 1.

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

The Chair recognized Representative Arnold Palacios.

Rep. A. Palacios: Thank you, Mr. Speaker. Mr. Speaker, I have the honor of introducing H. R. NO. 13-127.

H. R. NO. 13-127: A House Resolution to mourn the loss of a former colleague and to express our heartfelt sympathies and condolences to the family of the late Honorable Miguel "Mike" Igisaiar Kileleman upon his untimely death on April 6, 2003, at the age of 65.

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

H. R. NO. 13-128: A House Resolution extending heartfelt congratulations to Chief Warrant Officer Francisco Palacios for being a recipient of the prestigious Federal Asian Pacific American Council 2003 Outstanding Individual Award.

Offered by: Rep. Heinz S. Hofschneider seventeen others

H. R. NO. 13-129: A House Resolution requesting the Commonwealth Development Authority Board of Directors to implement the mandate of Public Law 9-42, codified under 4 CMC § 8161-8166, to establish a Water Catchment Tank Loan Revolving Fund Program.

Offered by: Rep. Jesus T. Attao and one other

H. R. NO. 13-130: A House Resolution requesting the Honorable Governor Juan N. Babauta, the Honorable Lieutenant Governor Diego T. Benavente, and Frankie Villanueva, Secretary of Finance, to identify funds from the General Fund for the payment of obligations that are due to retired members of the Department of Public Safety.

Offered by: Rep. Jesus T. Attao and one other

H. R. NO. 13-131: A House Resolution in recognition of and appreciation to the U. S. Armed Forces operating in support of Operation Iraqi Freedom for their dedication to duty and for their willingness to put their lives on the line in support of our National Security.

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

Rep. W. Torres: Mr. Speaker, I'd like to request for this to be introduced by the Committee of the Whole and for consideration for its adoption today.

There was no objection.

H. R. NO. 13-132: A House Resolution requesting that Continental Micronesia consider the waiving of penalties or other similar charges that are normally charged to passengers for airline ticket changes for passengers and/or escorts who are traveling for medical reasons.

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

H. R. NO. 13-133: A House Resolution respectfully requesting that the Honorable Julia C. Heidemann, Philippine Consulate General, consider working with the Republic of the Philippines Bureau of Immigration in revising visa extension policies for visitors seeking medical services in cooperation with the Commonwealth of the Northern Mariana Islands.

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

H. R. NO. 13-134: A House Resolution to designate and proclaim May 15 as "CNMI Peace Officers' Day" and the week of May 11-17, 2003 as "National Police Officers' Week."

Offered by: Rep. Ramon A. Tebuteb and seventeen others

H. J. R. NO. 13-028: A House Resolution to authorize the Commonwealth of the Northern Mariana Islands, through the Governor, to submit to the U. S. Department of Housing and Urban Development, the Action Plan for the Community Development Block Grant Application No. B-03-ST69-001; the HOME Investment Partnership Grant Application No. B-03-ST69-0203; and, the Emergency Shelter Grant Application No. S-03-DC69-0001; to receive the funds requested therein, and to assume all responsibilities that may be imposed by the U. S. Department of Housing and Urban Development Block Grant, HOME Investment Partnership Program, and the Emergency Shelter Grant Programs.

Offered by: Rep. Heinz S. Hofschneider

Speaker Hofschneider: I welcome any co-sponsors to this resolution. With that, Floor Leader, may I ask the members' indulgence to dispense of the subsequent order and move to Resolution Calendar?

There being no objection; the House went down to Resolution Calendar.

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao moved for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the adoption of H. R. NO. 13-127, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the adoption of H. R. NO. 13-127.

The motion was seconded by Rep. Babauta.

H. R. NO. 13-127: A HOUSE RESOLUTION TO MOURN THE LOSS OF A FORMER COLLEAGUE AND TO EXPRESS OUR HEARTFELT SYMPATHY AND CONDOLENCES TO THE FAMILY OF THE LATE HONORABLE MIGUEL "MIKE" IGISAIAR KILELEMAN UPON HIS UNTIMELY DEATH ON APRIL 6, 2003, AT THE AGE OF 65.

Speaker Hofschneider: The motion for the adoption of H. R. NO. 13-127 has been seconded. Discussion on the resolution? Representative Babauta?

Rep. Babauta: Point of clarification. Is this introduced by the Committee of the Whole?

Floor Leader Attao: Yes.

Speaker Hofschneider: So noted. Introduced by the Committee of the Whole. Ready?

Several members voiced, "ready."

There was no further discussion, and the motion to adopt H. R. NO. 13-127 was carried by voice vote.

Speaker Hofschneider: H. R. NO. 13-127 is hereby adopted by the House. We'll take a short recess for the presentation ceremony. Short recess.

The House recessed at 9:43 a.m.

RECESS

The House reconvened at 10:00 a.m.

Speaker Hofschneider: We're back to our session and we go back to the order of business. We we're under Resolution Calendar and we'll go back to Messages from the Governor. I have one communication hot off the press from the Governor and since this just came in this morning, I'd like to officially provide the clerk with the record so that we can have it distributed to all the members. Essentially what the Governor is asking in this communication this morning is, "the Lieutenant Governor and I urge you to immediately recall H. B. NO. 13-274 and to simultaneously enact the attached measure. We urge you to carry through with the resolution reached by the summit attendees as represented in the attached bill." I'll officially submit this and then we'll discuss this matter. Short recess for duplication.

The House recessed at 10:02 a.m.

RECESS

The House reconvened at 10:25 a.m.

MESSAGES FROM THE GOVERNOR

Speaker Hofschneider: We're back to our session and we're under Item 5, Messages from the Governor.

GOV. COMM. 13-509 – 4/2/03 – P.L. 11-6 notification of exemption for Marianas Fast Food, Inc. dba KFC.

GOV. COMM. 13-510 – 4/2/03 – P.L. 11-6 notification of exemption for Town House Department Store.

GOV. COMM. 13-511 – 4/2/03 – Attaching an alternative financing plan for the adult prison project.

GOV. COMM. 13-512 – 4/16/03 – Convening a summit relative to H. B. NO. 13-274, SD1.

GOV. COMM. 13-513 – 4/18/03 – Informing the Legislature that he disapproved H. L. B. NO. 13-039 (\$120k Appropriation for A&E of a social hall in As Matuis; road paving).

GOV. COMM. 13-514 – 4/18/03 – Informing the Legislature that he disapproved H. L. B. NO. 13-036 (\$38,000 SMC operations and office renovation).

GOV. COMM. 13-515 – 4/21/03 – Informing the Legislature that he signed H. B. NO. 13-104, HS1 (Immigration Fraud Statute Amendment), into **Public Law No. 13-49**.

GOV. COMM. 13-516 – 4/21/03 – Informing the Legislature that he signed H. B. NO. 13-219, HS1 (Allowing CUC to maintain water wells at public schools) into **Public Law No. 13-50**.

GOV. COMM. 13-517 – 4/21/03 – Informing the Legislature that he signed H. B. NO. 13-193, HS1 (Foreign Investment - modify \$100k security deposit requirement), into **Public Law No. 13-51**.

GOV. COMM. 13-518 – 4/18/03 – Informing the Legislature that he disapproved H. L. B. NO. 13-038, D1 (Board of Parole Parolees Rehabilitation Beautification Projects).

There was no discussion.

SENATE COMMUNICATIONS

SEN. COMM. 13-173: Return of H. J. R. NO. 13-025 (State Address & Washington Report), which was adopted by the Senate on April 9, 2003. [For inf.]

SEN. COMM. 13-174: Transmittal of S. B. NO. 13-135, SD1, entitled, “To amend 4 CMC § 4344(d) of the Commonwealth Entry and Deportation Act of 1983 to require the Office of the Attorney General to promulgate rules and regulations implementing certain applicable international treaties and conventions related to the status and treatment of persons fearing persecution, torture, cruel, inhumane or degrading treatment or punishment in their country of origin,” which the Senate passed on April 9, 2003. [For action]

SEN. COMM. 13-175: Informing the House that the Senate filed H. B. NO. 13-016, HS1 (Importation of farm products study) on April 23, 2003.

SEN. COMM. 13-176: Informing the House that the Senate filed H. B. NO. 13-057, HS1 (Roadside Vendors) on April 23, 2003.

SEN. COMM. 13-177: Transmittal of S. B. NO. 13-107, SD1, entitled, “To amend the CNMI alcohol beverage control laws at 4 CMC § 5566 to provide that minors may not enter an establishment that is primarily engaged in the sale of alcoholic beverages; and for other purposes,” which the Senate passed on April 23, 2003. [For action]

SEN. COMM. 13-178: Transmittal of S. R. NO. 13-41, entitled, “A Senate Resolution commending Ms. Catherine Hughes Wimberly for her exemplary work as a Delta Air Lines International On-Board Leader Flight Attendant attending to members of the 101st Airborne Division, United States Army on their February 28, 2003 Delta Airlines deployment fight to the Middle East and volunteering to forward a batch of letters from the 101st Airborne Division to their friends and families who, but for Ms. Wimberly’s volunteering, would not have received them as quickly,” which the Senate adopted on April 9, 2003. [Certified copy]

There was no discussion.

HOUSE COMMUNICATIONS

HSE. COMM. 13-53 – Rep. Seman's trip report for the period of February 23-28, 2003.

There was no discussion.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

JUD. BR. COMM. 13-15 – 4/4/03 – Request for extension to submit FY'04 Judiciary budget request.

JUD. BR. COMM. 13-16 – 4/21/03 – Judicial Branch FY 2004 Budget Submission.

There was no discussion.

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

WASH. REP. COMM. 13-18 – Requesting the House to adopt a resolution honoring Mr. Francisco Palacios for receiving the prestigious 2003 Military Federal Asian Pacific American Council Meritorious Service Award.

WASH. REP. COMM. 13-19 – 4/7/03 – Informing the Speaker that he forwarded a copy of H. R. NO. 13-111 to the U.S. President and Mr. O'Keefe of NASA.

There was no discussion.

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 13-168 – 3/11/03 – From the Public Auditor re. Final Audit Report of the AG's Investigative Unit Confidential Informant/Cash Funds (AR-03-04).

DEPT. & AGENCY COMM. 13-169 – 3/10/03 – From Assistant AG James Livingstone enclosing a copy of DOLI's draft regulations.

DEPT. & AGENCY COMM. 13-170 – 2/28/03 – From CDA Chairman Juan Tenorio to Sen. Dela Cruz regarding CIP funds available for reprogramming.

DEPT. & AGENCY COMM. 13-171 – 2/28/03 – From Attorney General Ramona Manglona regarding Rep. Stanley Torres' request for a legal opinion on NMC policies and actions.

DEPT. & AGENCY COMM. 13-172 – 3/3/03 – From Assistant AG David Livingstone regarding DOLI's draft regulations on multiple employments.

DEPT. & AGENCY COMM. 13-173 – 3/11/03 – From Director Felicitas P. Abraham, Office of Vocational Rehabilitation providing a copy of FY 2001 Community Needs Assessment Report.

DEPT. & AGENCY COMM. 13-174 – 3/13/03 – From Public Health Secretary James Hofschneider regarding ground contamination in Tanapag and I Denni.

DEPT. & AGENCY COMM. 13-175 – 3/12/03 – From BOE Chairman Herman T. Guerrero requesting for an amendment to exempt PSS from the Environmental Beautification Tax Act.

DEPT. & AGENCY COMM. 176 – 3/13/03 - From Acting SAPLR Nace Soalablai acknowledging receipt of H. R. NO. 13-115 to H. R. NO. 13-120.

DEPT. & AGENCY COMM. 13-177 – 2/28/03 – Commonwealth Register Vol. 25, No. 02 (Emergency Declaration; Solid Waste Collection; Dog Control; Cash Receipts & Compliance; QC; Fish & Wildlife) – Regulations.

DEPT. & AGENCY COMM. 13-178 – 3/3/03 – From DCCA Secretary Juan L. Babauta enclosing a copy of the Department’s 2002 Annual Report.

DEPT. & AGENCY COMM. 13-179 – 3/21/03 - From Acting SAPLR Nace Soalablai acknowledging receipt of H. J. R. NO. 13-021.

DEPT. & AGENCY COMM. 13-180 – 4/1/03 – From CDA Chairman Juan S. Tenorio to Sen. President Manglona regarding CIP analysis of bond issue.

DEPT. & AGENCY COMM. 13-181 – 3/31/03 – From NMIRF Trust Chairman Joseph C. Reyes regarding a meeting with Mr. Dan McLellan of Buck Consultants on April 25, 2003 at 10 a.m. in the House Chamber.

DEPT. & AGENCY COMM. 13-182 – 3/28/03 – From Assistant AG Grant Dawson regarding the 20th AG Cup Speech Competition on May 2, 2003.

DEPT. & AGENCY COMM. 13-183 – 3/28/03 – From CDA Chairman Juan S. Tenorio regarding the identification of funding for the MRC partial payment.

DEPT. & AGENCY COMM. 13-184 – 3/19/03 – Copy of MVA’s \$2.6 Supplemental Budget Allocation.

DEPT. & AGENCY COMM. 13-185 – 3/20/03 – Copy of MVA’s Supplementary Budget Update.

DEPT. & AGENCY COMM. 13-186 – 3/14/03 – From Fund Administrator Karl Reyes regarding HPMR’s latest notice.

DEPT. & AGENCY COMM. 13-187 – 3/12/03 – From DLNR Secretary Tom Pangelinan regarding designation of new boy Scout Camp area within the Saipan Upland Mitigation Bank.

DEPT. & AGENCY COMM. 13-188 – From DCCA Acting Secretary Carmen Cabrera regarding the postponement of the unveiling of the Old Municipal Building Site Interpretive Display.

DEPT. & AGENCY COMM. 13-189 – 3/20/03 – From MPLA Commissioner Henry Hofschneider regarding the FEBC lease extension request.

DEPT. & AGENCY COMM. 13-190 – 4/8/03 - From Acting SAPLR Nace Soalablai acknowledging receipt of H. J. R. NO. 13-001, H. J. R. NO. 13-010, H. J. R. NO. 13-011 and H. J. R. NO. 13-014.

DEPT. & AGENCY COMM. 13-191 – 4/7/03 – From Dr. James Hofschneider, DPH Secretary to PSS about SARS awareness.

DEPT. & AGENCY COMM. 13-192 – 4/3/03 – Commonwealth Register Vol. 25, No. 3 (Board of Professional Licensing, CRM, Medical Fees, TCGCC).

DEPT. & AGENCY COMM. 13-193 – 4/2/03 – From Mr. Edward S. Tenorio, Special Assistant for OMB, forwarding the Drug Control and System Improvement Strategy grant application for review.

DEPT. & AGENCY COMM. 13-194 – 4/8/03 – From Mr. Felix Sablan, State Hazard Mitigation Officer regarding available grant money for mitigation projects.

DEPT. & AGENCY COMM. 13-195 – 4/17/03 – From Mr. Edward S. Tenorio, Special Assistant for OMB, forwarding the State Plan for the Vocational rehabilitation Services an supported Employment Services grant application for review.

DEPT. & AGENCY COMM. 13-196 – 4/22/03 - From Acting SAPLR Nace Soalablai acknowledging receipt of H. J. R. NO. 13-025, HD1, HS1.

DEPT. & AGENCY COMM. 13-197 – 4/22/03 - From Acting SAPLR Nace Soalablai acknowledging receipt of J. S. Res. No. 13-1 and 13-2.

There was no discussion.

OTHER COMMUNICATIONS

MISC. COMM. 13-133 – 3/10/03 – From Mr. William T. Pound, NCSL Executive Director, re. State-Federal Coordinators.

MISC. COMM. 13-134 – 3/18/03 – Mr. Edwin A. Fujihira's letter to DPS Commissioner Camacho regarding the 30% retirement bonus.

MISC. COMM. 13-135 – 3/13/03 – Atty. Robert Torres' e-mail to Sen. Villagomez attaching a copy of the amended CBI Bill.

MISC. COMM. 13-136 – 3/12/03 – From Mr. Albert Palacios to Rep. Castro in support of the passage of H. B. NO. 13-263.

MISC. COMM. 13-137 – 3/13/03 – E-mail from “jasong” to Sen. Reyes re. CNMI's bad publicity on www.saipansucks.com.

MISC. COMM. 13-138 – 3/19/30 – From Mr. Mac Chargualaf, SAFA President, to Dr. Wright about the transfer of 4-H Club building to DCCA.

MISC. COMM. 13-139 – 3/19/03 – From Mayor Tudela to Mr. Juan I. Castro requesting for the approval of the office’s earthmoving application for coral pit quarries.

MISC. COMM. 13-140 – 3/24/03 – From Mr. Tom Cannon, VP & COO of HPMR to Mr. Karl Reyes, NMIRF Administrator, regarding GHLITF.

MISC. COMM. 13-141 – 3/27/03 – E-mail from Ms. Marian Aldan-Pierce attaching a copy of the Saipan Chamber of Commerce’s response to the Governor’s Integrated Fiscal Plan.

MISC. COMM. 13-142 – 3/27/03 - From Mr. David W. Heywood, VP, Hawaii Pacific Health, informing Mr. Cannon (HPMR) that CNMI’s referrals will be required to pay cash upfront beginning April 1, 2003.

MISC. COMM. 13-143 – 3/24/03 – From Acting Director Frank Lee, Taipei Economic and Cultural Office - Guam, requesting for support on China’s entry into the WHO.

MISC. COMM. 13-144 – 3/17/03 - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting a certified copy of 7SMC-5RS-19, 7SMC-5RS-20 AND 7SMC-5RS-21.

MISC. COMM. 13-145 – 3/13/03 – From Mr. Ty Izuka, C&H Saipan, Inc. President, to Mr. Henry Hofschneider about providing updates of the leasehold to the Legislature.

MISC. COMM. 13-146 – 3/21/03 – From Atty. Rex Kosack, providing additional testimony in support of the FEBC lease extension request.

MISC. COMM. 13-147 – 3/3/03 – From Field Rep. Jeff Schorr, OIA, regarding the Junior Statesmen program.

MISC. COMM. 13-148 – A local initiative entitled the Saipan Casino Act.

MISC. COMM. 13-149 – An invitation to the Speaker to visit Fuzhou, China, from Vice President Lu Yonghe, China Council for the Promotion of International Trade.

MISC. COMM. 13-150 - 3/10/03 - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting a certified copy of 7SMC-5RS-15, 7SMC-5RS-16, 7SMC-5RS-17, 7SMC-54S-18.

MISC. COMM. 13-151 – 3/5/03 – From US Army Lt. General James L. Campbell regarding the NMI National Guard Act.

MISC. COMM. 13-152 – 3/4/03 – From Mayor Valentin Taisakan commenting on S. B. NO. 13-35, SD3.

MISC. COMM. 13-153 – 3/11/03 – From Mr. Frank D. Calvo, Jr., GO CNMI President regarding planned activities observing Covenant Day.

MISC. COMM. 13-154 – 3/7/03 – From Mr. James Lin, SGMA Chair, to Governor Babauta regarding the user fee.

MISC. COMM. 13-155 – 2/21/03 – From the Traditional Kingdoms of Pohnpei expressing appreciation on the adoption of H. R. NO. 13-079.

MISC. COMM. 13-156 – 3/18/03 – From President Edward Salas, Rotary Club of Saipan regarding its 35th anniversary & golf goodwill tournament.

MISC. COMM. 13-157 – 4/5/03 – E-mail about Diesel Emissions.

MISC. COMM. 13-158 – 4/2/03 – E-mail with regards to Sen. Thomas Craig’s statement about the Post article, “A Many Willing, But only a few are Able”.

MISC. COMM. 13-159 – 4/11/03 – From Mr. Richard Pierce expressing appreciation on the adoption of the Kan Pacific lease extension.

MISC. COMM. 13-160 – 4/1/03 - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting a certified copy of 7SMC-5RS-22, 7SMC-5RS-23, 7SMC-5RS-24.

MISC. COMM. 13-161 – 4/14/03 - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting a certified copy of 7SMC-6RS-01 to 7SMC-RS-09.

There was no discussion.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

Floor Leader Attao: Mr. Speaker, can we go back to Item 3, Prefiled and Introduction of Bills?

There being no objection; the House went back to Item 3, Prefiled and Introduction of Bills.

PREFILED AND INTRODUCTION OF BILLS

The Chair recognized Representative Stanley Torres.

Rep. S. Torres: Thank you, Mr. Speaker.

H. L. I. NO. 13-014: A House Legislative Initiative to provide for the establishment of, regulation and control of casino gambling in the Third Senatorial District (Saipan and the Islands North of Saipan); and for other purposes.

Offered by: Rep. Stanley T. Torres and nine others

Referred to: Committee on Ways and Means

Speaker Hofschneider: Declaration of war?

Rep. S. Torres: And I humbly request that the initiative be placed on the calendar for action.

Floor Leader Attao: Objection.

Rep. Babauta: No objection.

Speaker Hofschneider: Thank you, Representative Torres. With that, we move down to Resolution Calendar.

Floor Leader Attao: Item 12, Mr. Speaker. I have S. C. R. NO. 13-075.

There being no objection; the House went down to Item 12, Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Floor Leader Attao: If there's no objection from the members, I'd like to place S. C. R. NO. 13-075 on today's calendar.

There was no objection.

The Chair recognized the Floor Leader.

Floor Leader Attao moved for the suspension of Rule VII, Section 10 for the placement of S. C. R. NO. 13-075, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the adoption of S. C. R. NO. 13-075.

The motion was seconded.

S. C. R. NO. 13-075: Reporting on H. B. NO. 13-123, entitled, To provide law enforcement powers to investigators of the Office of the Public Auditor by adding a new section 7841 to 1 CMC, Division 7, Chapter 74; and for other purposes. *Your Committee on Judiciary & Governmental Operations recommends the passage of the bill without amendments.*

Speaker Hofschneider: *Hafa enao na committee report?*

Rep. Babauta: To provide OPA with enforcement power.

There was no discussion, and the motion to adopt S. C. R. NO. 13-075 was carried by voice vote.

Speaker Hofschneider: S. C. R. NO. 13-075 is hereby adopted by the House.

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao moved for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the adoption of H. R. NO. 13-124, H. R. NO. 13-125, H. R. NO. 13-126, H. R. NO. 13-128, H. R. NO. 13-129, H. R. NO. 13-130, H. R. NO. 13-130, H. R. NO. 13-131, H. R. NO. 13-132, H. R. NO. 13-133, H. R. NO. 13-134 and H. J. R. NO. 13-028, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao moved for the adoption of H. R. NO. 13-124, H. R. NO. 13-125, H. R. NO. 13-126, H. R. NO. 13-128, H. R. NO. 13-129, H. R. NO. 13-130, H. R. NO. 13-130, H. R. NO. 13-131, H. R. NO. 13-132, H. R. NO. 13-133, H. R. NO. 13-134 and H. J. R. NO. 13-028, was seconded by Rep. Babauta.

H. R. NO. 13-124: A HOUSE RESOLUTION TO RECOGNIZE, PRAISE AND COMMEND THE EMPLOYEES OF THE COMMONWEALTH UTILITIES CORPORATION AND KIMCO CORPORATION FOR THEIR TIRELESS AND PROFESSIONAL ASSISTANCE TO ROTA AND GUAM IN THE RESTORATION OF THEIR POWER SERVICES DAMAGED AND SHUT DOWN BY SUPER TYPHOON PONGSONA ON DECEMBER 8, 2002.

H. R. NO. 13-125, HD1: A HOUSE RESOLUTION SUPPORTING THE CNMI DEPARTMENT OF PUBLIC HEALTH'S APPLICATION FOR SECTION 330 (E) GRANT THROUGH THE HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA) OF THE U.S. DEPT. OF HEALTH AND HUMAN SERVICES FOR THE ESTABLISHMENTS OF A COMMUNITY HEALTH CENTER ON LOT NO. 002-G-459 (FORMERLY THE YOUTH DETENTION CENTER) TO SERVE AND ADDRESS THE PRIMARY HEALTH CARE NEEDS OF ALL RESIDENTS RESIDING IN DISTRICT 10 AND ADJACENT VILLAGES.

H. R. NO. 13-126: A HOUSE RESOLUTION RESPECTFULLY AUTHORIZING TO REPROGRAM THE FUND BALANCE OF \$72,000 APPROPRIATED BY SAIPAN LOCAL LAW 13-12 TO FUND SEVERAL ACTIVITIES IN ELECTION PRECINCT NO. 1.

H. R. NO. 13-128: A HOUSE RESOLUTION EXTENDING HEARTFELT CONGRATULATIONS TO CHIEF WARRANT OFFICER FRANCISCO PALACIOS FOR BEING A RECIPIENT OF THE PRESTIGIOUS FEDERAL ASIAN PACIFIC AMERICAN COUNCIL 2003 OUTSTANDING INDIVIDUAL AWARD.

H. R. NO. 13-129: A HOUSE RESOLUTION REQUESTING THE COMMONWEALTH DEVELOPMENT AUTHORITY BOARD OF DIRECTORS TO IMPLEMENT THE MANDATE OF PUBLIC LAW 9-42, CODIFIED UNDER 4 CMC § 8161-8166, TO ESTABLISH A WATER CATCHMENT TANK LOAN REVOLVING FUND PROGRAM.

H. R. NO. 13-130: A HOUSE RESOLUTION REQUESTING THE HONORABLE GOVERNOR JUAN N. BABAUTA, THE HONORABLE LIEUTENANT GOVERNOR DIEGO T. BENAVENTE, AND FRANKIE VILLANUEVA, SECRETARY OF FINANCE, TO IDENTIFY FUNDS FROM THE GENERAL FUND FOR THE PAYMENT OF OBLIGATIONS THAT ARE DUE TO RETIRED MEMBERS OF THE DEPARTMENT OF PUBLIC SAFETY.

H. R. NO. 13-131: A HOUSE RESOLUTION IN RECOGNITION OF AND APPRECIATION TO THE U. S. ARMED FORCES OPERATING IN SUPPORT OF IRAQI FREEDOM FOR THEIR DEDICATION TO DUTY AND FOR THEIR WILLINGNESS TO PUT THEIR LIVES ON THE LINE IN SUPPORT OF OUR NATIONAL SECURITY.

H. R. NO. 13-132: A HOUSE RESOLUTION REQUESTING THAT CONTINENTAL MICRONESIA CONSIDER THE WAIVING OF PENALTIES OR OTHER SIMILAR CHARGES THAT ARE NORMALLY CHARGED TO PASSENGERS FOR AIRLINE TICKET CHANGES FOR PASSENGERS AND/OR ESCORTS WHO ARE TRAVELING FOR MEDICAL REASONS.

H. R. NO. 13-133: A HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT THE HONORABLE JULIA C. HEIDEMANN, PHILIPPINE CONSULATE GENERAL, CONSIDER WORKING WITH THE REPUBLIC OF THE PHILIPPINES BUREAU OF IMMIGRATION IN REVISING VISA EXTENSION POLICIES FOR VISITORS SEEKING MEDICAL SERVICES IN COOPERATION WITH THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

H. R. NO. 13-134: A HOUSE RESOLUTION TO DESIGNATE AND PROCLAIM MAY 15 AS “CNMI PEACE OFFICERS’ DAY” AND THE WEEK OF MAY 11-17, 2003 AS “NATIONAL PEACE OFFICERS’ WEEK.”

H. J. R. NO. 13-028: A HOUSE RESOLUTION TO AUTHORIZE THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, THROUGH THE GOVERNOR, TO SUBMIT TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, THE ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION NO. B-03-ST69-001; THE HOME INVESTMENT PARTNERSHIP GRANT APPLICATION NO. B-03-ST69-0203; AND, THE EMERGENCY SHELTER GRANT APPLICATION NO. S-03-DC69-0001; TO RECEIVE THE FUNDS REQUESTED THEREIN, AND TO ASSUME ALL RESPONSIBILITIES THAT MAY BE IMPOSED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP PROGRAM, AND THE EMERGENCY SHELTER GRANT PROGRAMS.

Speaker Hofschneider: The motion for the adoption of H. R. NO. 13-124, H. R. NO. 13-125, H. R. NO. 13-126, H. R. NO. 13-128, H. R. NO. 13-129, H. R. NO. 13-130, H. R. NO. 13-130, H. R. NO. 13-131, H. R. NO. 13-132, H. R. NO. 13-133, H. R. NO. 13-134 and H. J. R. NO. 13-028 has been seconded. Discussion on any of the resolution and the joint resolution? Representative Cabrera.

Rep. Cabrera: Thank you, Mr. Speaker. I was just informed this morning that the lot number specified on H. R. NO. 13-125 is incorrect and I would like to offer an oral floor amendment to that effect. On line 5 of the title, I would like offer an oral floor amendment to insert “Lot No. 002-G-459” as opposed to the two lot numbers that are there. So strikeout the two lot numbers and change it with “Lot No. 002-G-459.”

The motion was seconded by Rep. Babauta.

Speaker Hofschneider: And wherever it appears.

Rep. Cabrera: Yes, Mr. Speaker.

There was no discussion, and the motion to adopt the oral floor amendment offered by Representative Cabrera was carried by voice vote.

Speaker Hofschneider: The oral floor amendment carries. Ready? Vice Speaker.

Vice Speaker Tenorio: Mr. Speaker, I would like to offer an oral floor amendment to H. R. NO. 13-132. I think the new corporate name is Continental Micronesia so where ever “Continental Air Micronesia” appears delete the word “Air.” It should just read, Continental Micronesia. Thank you.

Floor Leader Attao: Is that an oral floor amendment?

Speaker Hofschneider: Typographical. Is it typographical?

Vice Speaker Tenorio: Well, it’s a typo. Just delete “Air.”

Speaker Hofschneider: Clerk, please take note. Any other comments on any of the resolutions?

Floor Leader Attao voiced, “ready.”

Rep. Ada: I’d like to request the clerk for my signature on H. R. NO. 13-134. I believe it’s only appropriate as Chairman on the Committee on Judiciary & Governmental Operations to put my signature on this.

Speaker Hofschneider: May I know what H. R. NO. 13-134 is?

Rep. Ada: It’s about CNMI Peace Officers’ Day and National Police Officers’ Week, which all of us will be attending next month.

Speaker Hofschneider: I think the request was for it to be introduced by the Committee of the Whole.

Rep. Ada: Thank you Congressman Tebuteb.

There was no further discussion, and the motion to adopt H. R. NO. 13-124, H. R. NO. 13-125, HD1, H. R. NO. 13-126, H. R. NO. 13-128, H. R. NO. 13-129, H. R. NO. 13-130, H. R. NO. 13-131, H. R. NO. 13-132, H. R. NO. 13-133, H. R. NO. 13-134 and H. J. R. NO. 13-028 was carried by voice vote.

Speaker Hofschneider: The House Resolutions that were enumerated, including H. J. R. NO. 13-028 are hereby adopted by the House. Short recess.

The House recessed at 10:42 a.m.

RECESS

The House reconvened at 10:42 a.m.

Speaker Hofschneider: We're back to our session and with no objection, I'd like to go back to Prefiled and Introduction of Bills.

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

PREFILED AND INTRODUCTION OF BILLS

Speaker Hofschneider: With the recommendation by the Administration to resolve this issue and the three projects to be funded, I'd like to officially introduce a bill.

H. B. NO. 13-278: A Bill for an Act to fully fund the Commonwealth Prison Project by appropriating from interest income from bond issuance in the amount of \$5,900,000, by amending PL 12-64, as amended, to specify the revenue source for repayment of bond issuance and to authorize the use of any available funds to provide an alternative interim funding source; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider

Speaker Hofschneider: May we have the clerk number and duplicate that? Short recess.

The House recessed at 10:43 a.m.

RECESS

The House reconvened at 11:10 a.m.

Speaker Hofschneider: We're back to our session and we'll go down to Bill Calendar.

The House went down to Bill Calendar.

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao moved for the placement of H. B. NO. 13-278 on the calendar, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: Motion carried. H. B. NO. 13-278 is hereby placed on today's calendar for action. Floor Leader.

Floor Leader Attao moved for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the passage of H. B. NO. 13-278, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. Mr. Speaker, I move for the passage of H. B. NO. 13-278 on First and Final Reading.

The motion was seconded by Rep. Babauta.

H. B. NO. 13-278: A BILL FOR AN ACT TO FULLY FUND THE COMMONWEALTH PRISON PROJECT BY APPROPRIATING FROM INTEREST INCOME FROM BOND ISSUANCE IN THE AMOUNT OF \$5,900,000, BY AMENDING PL 12-64, AS AMENDED, TO SPECIFY THE REVENUE SOURCE FOR REPAYMENT OF BOND ISSUANCE AND TO AUTHORIZE THE USE OF ANY AVAILABLE FUNDS TO PROVIDE AN ALTERNATIVE INTERIM FUNDING SOURCE; AND FOR OTHER PURPOSES.

Speaker Hofschneider: The motion for the passage of H. B. NO. 13-278 on First and Final Reading has been seconded. Discussion on the bill? There's a typographical error on page 4, line 2 just delete the word "to." So it should read, "indebtedness authorized herein shall not exceed." It's typographical error. Ready?

Floor Leader Attao: I have an oral floor amendment to offer, Mr. Speaker.

Speaker Hofschneider: Before I recognize that, clerk, please note the presence of Representative Aldan in the session for the record. Floor Leader.

Floor Leader Attao: Mr. Speaker, I would like to offer an oral floor amendment. On page 3, line 9 after "projects" insert "and P. L. 9-42 Water Catchment Tank Loan Revolving Fund Program." On the same page on line 12 after "projects" insert "and P. L. 9-42 Water Catchment Tank Loan Revolving Fund Program" and on line 21 after "projects" include "and P. L. 9-42 Water Catchment Tank Loan Revolving Fund Program." I so move.

The motion was seconded.

Speaker Hofschneider: An oral floor amendment offered by the Floor Leader has been seconded. Discussion on the oral floor amendment?

Several members voiced, "ready."

There was no discussion, and the oral floor amendment offered by Floor Leader Attao was carried by voice vote.

Speaker Hofschneider: Motion carried and we're discussing H. B. NO. 13-278 as amended.

Floor Leader Attao voiced, "ready."

Speaker Hofschneider: Ready. We need twelve votes, 2/3. This is a borrowing legislation. Ready?

Floor Leader Attao voiced, "ready."

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-278, HD1 on First and Final Reading 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	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: With a unanimous vote cast of 18 members voting “yes” H. B. NO. 13-278, as amended, is hereby passed by the House on First and Final Reading. I hope that this will be the last exercise. Floor Leader.

Floor Leader Attao moved to recess subject to the call of the Chair, was seconded and carried by voice vote.

The House recessed at 11:17 a.m.

Respectfully submitted,

Lavida S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 13-040: A Local Appropriation Bill for and Act for the First Senatorial District to appropriate \$90,000 form the local license fees for pachinko slot machines and poker machines in the First Senatorial District; and for other purposes. (REP. DANIEL O. QUITUGUA) [3rd Appearance]