



House Journal

SECOND REGULAR SESSION, 2002

Sixth Day

October 29, 2002

The House of Representatives of the Thirteenth Northern Marianas Commonwealth Legislature convened in its **Sixth Day, Second Regular Session**, on **Tuesday, October 29, 2002**, at **10:44 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. Sixteen members were present. Representative Jesus T. Attao came in late and Representative Herman T. Palacios was excused.

Speaker Hofschneider: We'll take a short recess for a presentation ceremony by the Vice Speaker. Short recess.

The House recessed at 10:46 a.m.

RECESS

The House reconvened at 10:49 a.m.

Speaker Hofschneider: We're back to our session and before we proceed with today's business, I appoint Representative Stanley T. Torres to be the Acting Floor Leader for today's session in the absence of the Floor Leader, Representative Jesus T. Attao. If there's any objection to that appointment, please state so.

There was no objection.

Speaker Hofschneider: Thank you.

ADOPTION OF JOURNALS

Acting Floor Leader Stanley Torres moved for the adoption of the Journals for the Third Day and Fourth Day, Second Regular Session, was seconded and carried by voice vote.

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 13-205: A Bill for an Act to authorize the Municipality of Tinian and Aguiguan to borrow Five Million Dollars (\$5,000,000) from the Marianas Public Land Trust to fund the design and construction of a Tinian Civic Center; and for other purposes.

Offered by: Rep. Norman S. Palacios
Referred to: Committee on Ways and Means

H. B. NO. 13-206: A Bill for an Act to amend 1 CMC, Division 7, Chapter 6 § 7604(a), (b), (c) and (e); and for other purposes.

Offered by: Rep. Jesus T. Attao
Referred to: Committee on Ways and Means

H. B. NO. 13-207: A Bill for an Act to establish a Local Fund for each senatorial district into which local revenues shall be deposited and for other purposes.

Offered by: Rep. Jesus T. Attao
Referred to: Committee on Ways and Means

H. B. NO. 13-208: A Bill for an Act to amend subsection 2771(a) of Title 3 of the Commonwealth; and for other purposes.

Offered by: Rep. Andrew S. Salas
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 13-209: A Bill for an Act to repeal and reenact 4 CMC, subsection 1307; and for other purposes.

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

H. B. NO. 13-210: A Bill for an Act to reprogram and re-appropriate \$10,146 from P.L. 9-1 and \$3,071 from P.L. 11-43 CIP funds for Beach Road roadside beautification project in Precinct II; and for other purposes.

Offered by: Rep. Oscar M. Babauta
Referred to: Committee on Ways and Means

H. B. NO. 13-211: A Bill for an Act to prohibit certain establishments from allowing minors onto their premises without parental consent; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb
Referred to: Committee on Health and Welfare

Speaker Hofschneider: Representative Stanley Torres?

Rep. S. Torres: I yield.

Rep. Attao: Privilege, Mr. Speaker.

Speaker Hofschneider: State your privilege.

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

Speaker Hofschneider: Clerk, reflect that he's present.

H. B. NO. 13-212: A Bill for an Act to increase the purchasing power of local consumers who are in the low and middle income tax brackets in order to increase their propensity to spend and invest in the Commonwealth of the Northern Mariana Islands; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Ways and Means

H. B. NO. 13-213: A Bill for an Act to establish the CNMI Seal Product; and for other purposes.

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

H. B. NO. 13-214: A Bill for an Act to provide a mechanism to establish a Prepaid Legal Service Plan for CNMI Government Employees including CNMI Government Retirees; and for other purposes.

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

H. L. I. NO. 13-009: A House Legislative Initiative to amend Article II, Section 6 of the NMI Constitution to vest municipal councils with law-making authority.

Offered by: Rep. Pedro P. Castro
Referred to: Committee on Judiciary & Governmental Operations

H. L. B. NO. 13-035: A Local Bill for an Act to appropriate \$750,000 pursuant to Saipan Local Law 13-8 from local license fees and to repeal and re-enact section 3 of SLL 13-8. [First Appearance]

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

H. L. B. NO. 13-036: A Local Bill for an Act to re-appropriate the fund balances of \$38,000.00 appropriated by Saipan Local Law No. 13-4, Section 2(2) in the sum of \$120,000.00 for the renovation and operation cost of the Seventh Saipan and Northern Islands Municipal Council. [First Appearance]

Offered by: Rep. Jesus T. Attao

H. L. B. NO. 13-037: A Local Bill for an Act to appropriate \$60,000 from the fees collected by Saipan Local Law 11-2; and for other purposes. [First Appearance]

Offered by: Rep. Jesus T. Attao

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 13-082: A House Resolution to acknowledge the value and positive endeavors of the Youth of the Commonwealth of the Northern Marianas Islands and to recognize October as CNMI Youth Month.

Offered by: Rep. Andrew S. Salas

H. R. NO. 13-083: A House Resolution to urgently request the Commonwealth Utilities Corporation Executive Director and the Commonwealth Utilities Corporation Board of Directors to install meters on all government buildings; and for other purposes.

Offered by: Rep. Jesus T. Attao

H. R. NO. 13-084: A House Resolution to honor the memory and to express sincere condolences to the family of the late honorable former Tinian Municipal Council Vicente Salas Sablan upon his call to his eternal rest.

Offered by: Rep. Norman S. Palacios

H. R. NO. 13-085: A House Resolution conveying the support of the House of Representatives in the efforts of S.T.a.R. Marianas, Inc., in pioneering, processing and refining seawater into a drinkable water for human consumption.

Offered by: Rep. Stanley T. Torres

H. J. R. NO. 13-016: A House Joint Resolution requesting the Governor and the Washington Representative of the CNMI to work towards ensuring that shipments to the Northern Marianas be exempted from any closure of the US West Coast Docks; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero

Rep. Deleon Guerrero: Mr. Speaker, if there's no objection from the members, I'd like to request that H. J. R. NO. 13-016 be placed on today's calendar.

Rep. Babauta: No objection.

Rep. Deleon Guerrero: Thank you.

Speaker Hofschneider: Any other resolution? Representative Norman Palacios.

Rep. N. Palacios: The same token, H. R. NO. 13-084 to be placed on today's calendar, and this would be introduced as a Committee of the Whole Resolution.

Rep. Babauta: No objection.

H. J. R. NO. 13-017: A House Joint Resolution to respectfully request that the 107th United States Congress support the passage of House Resolution 3128 authorizing the establishment of a National Guard of the Northern Mariana Islands.

Offered by: Rep. Martin B. Ada

Speaker Hofschneider: Any other resolution? Representative Torres.

Acting Floor Leader Torres: Mr. Speaker, if there's none, I call for a short recess.

At this time, the Chair declared a short recess at 10:58.m.

RECESS

The House reconvened at 11:00 a.m.

MESSAGES FROM THE GOVERNOR

GOV. COMM. 13-333 – October 10, 2002 – P.L. 11-6 notification of exemption for Kan Pacific Saipan, Ltd.

GOV. COMM. 13-334 – October 10, 2002 – P.L. 11-6 notification of exemption for Tinian Dynasty Hotel & Casino.

GOV. COMM. 13-335 – October 14, 2002 – Informing the Legislature that he signed H. L. B. NO. 13-024, D2 (Francisco C. Ada/Saipan International Airport) into **Saipan Local Law No. 13-10**.

GOV. COMM. 13-336 – October 18, 2002 – P.L. 11-6 notification of exemption for Woosuk Enterprises, Inc.

GOV. COMM. 13-337 – October 18, 2002 – P.L. 11-6 notification of exemption for DPH.

GOV. COMM. 13-338 – October 18, 2002 – P.L. 11-6 notification of exemption for Yoo Sung Saipan, Ltd.

GOV. COMM. 13-339 – October 18, 2002 – P.L. 11-6 notification of exemption for Han sol Travel Co. Ltd.

GOV. COMM. 13-340 – October 22, 2002 – P.L. 11-6 notification of exemption for Great Pacific Refuse & Recycling (Cornelio D. Alonia).

GOV. COMM. 13-341 – October 22, 2002 – P.L. 11-6 notification of exemption for Western Sales Trading Company.

GOV. COMM. 13-342 – October 23, 2002 – Informing the Legislature that he signed H. B. NO. 13-056, HS1 (Sale Receipt Act of 2002), into **Public Law No. 13-26**.

GOV. COMM. 13-343 – October 25, 2002 – Invitation for the Speaker to attend a meeting on 10/29/02, 10 AM re Director of Personnel (PL 13-1).

Speaker Hofschneider: We're back to our session and we're under Messages from the Governor. Any comment on the Messages from the Governor? Representative Babauta.

Rep. Babauta: Thank you, Mr. Speaker. I received GOV. COMM. 13-343 late yesterday afternoon. I was looking at the communication and it was directed to the Speaker and cc copy to the House members. I wonder whether or not the Governor was informed about our session this morning, Mr. Speaker, because we cannot attend the meeting.

Speaker Hofschneider: I responded to the Governor yesterday in a written form that due to a session this week particularly today that his invitation for my presence to discuss the Director of Personnel's action relative to Public Law 13-1 could not be possible.

Rep. Babauta: Thank you, Mr. Speaker.

Speaker Hofschneider: Any other comment on the Messages from the Governor? Acting Floor Leader Torres.

Acting Floor Leader Torres: Before we continue our session, I'd like to ask that in the presence of the Floor Leader, I ask him to take over the helm as Floor Leader.

Rep. Attao: Point of information, Mr. Speaker.

Speaker Hofschneider: State your point.

Rep. Attao: That will be addressed under House Communications.

Speaker Hofschneider: Representative Torres, you may continue.

Rep. S. Torres: Thank you.

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

Rep. Attao: Mr. Speaker.

The Chair recognized Representative Attao.

Rep. Attao: On GOV. COMM. 13-335, I wish to extend my sincere appreciation to Governor Babauta for signing H. L. B. NO. 13-024 into Saipan Local Law 13-10. This is renaming the Saipan International Airport to Francisco C. Ada/Saipan International Airport. Thank you.

Speaker Hofschneider: Thank you. Any other comment?

Rep. Tebuteb: Mr. Speaker.

The Chair recognized Representative Tebuteb.

Rep. Tebuteb: In line with Representative Attao's comment, I would also like to congratulate the Governor and everybody involved in renaming the Saipan International Airport into Francisco C. Ada/Saipan International Airport. And just a minor oversight or typo I was looking at GOV. COMM. 13-342 that's in the package but in the agenda it's GOV. COMM. 13-242.

Speaker Hofschneider: Thank you.

Rep. Tebuteb: Thank you, Mr. Speaker.

SENATE COMMUNICATIONS

Speaker Hofschneider: Floor Leader, under SEN. COMM. 13-104 move to reject and refer to a conference committee.

Acting Floor Leader Torres: I move to reject the Senate amendments to H. B. NO. 13-083, HD1 and refer to a conference committee.

The motion was seconded by Rep. Babauta.

SEN. COMM. 13-104: Return of H. B. NO. 13-083, HD1 (MVA Field Operations transfer to DLNR), which was passed by the Senate in the form of SD1 on October 18, 2002. [For action on Senate amendment]

Speaker Hofschneider: The motion for the rejection of H. B. NO. 13-083, HD1 as amended by the Senate and a conference committee to be appointed has been seconded. Discussion on the motion?

Several members voiced, "ready."

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

Speaker Hofschneider: Motion carried. Floor Leader, move for the acceptance of all Senate Communications as it appears on today's agenda.

Acting Floor Leader Torres: I move to accept all Senate Communications that appears in today's agenda.

The motion was seconded.

SEN. COMM. 13-99: Return of H. B. NO. 13-066, (San Vicente Waterline Replacement Project), which the Senate passed without amendment on September 12, 2002. [Before the Governor]

SEN. COMM. 13-100: Return of H. B. NO. 13-080, HD1 (Agriculture Equipment Service Revolving Fund Program), which the Senate passed without amendment of September 12, 2002. [Before the Governor]

SEN. COMM. 13-101: Transmittal of S. J. R. NO. 13-10, entitled, "A Senate Joint Resolution to request the Pacific maritime Association to grant an exemption from any ongoing or future work lockouts at all West Coast ports for shipping vessels destined for the Commonwealth of the Northern Mariana Islands," which the Senate adopted on October 18, 2002. [For action]

SEN. COMM. 13-102: Return of H. B. NO. 13-029, HS1 (Allow tinting of law enforcement vehicles for DOLI, ABTC and OPA), which the Senate passed without amendment on October 18, 2002. [Before the Governor]

SEN. COMM. 13-103: Return of H. B. NO. 13-056, HS1 (Sale Receipt Act of 2002), which the Senate passed without amendment on October 18, 2002. [Became PL 13-26]

Speaker Hofschneider: Motion to accept all Senate Communications as it appears on today's agenda has been seconded. Discussion on the motion?

Several members voiced, "ready."

There was no discussion, and the motion to accept SEN. COMM. 13-99, SEN. COMM. 13-100, SEN. COMM. 13-101, SEN. COMM. 13-102 and SEN. COMM. 13-103 was carried by voice vote.

Speaker Hofschneider: Motion carried.

HOUSE COMMUNICATIONS

HSE. COMM. 13-25: From Reps. Tenorio, William Torres, Aldan and Quitugua submitting their trip report for the period of 10/04-06/02.

HSE. COMM. 13-26: From Rep. Seman submitting his trip report for the period of October 1-3, 2002.

HSE. COMM. 13-27: Rep. Castro's trip report for the period of October 10-14, 2002.

HSE. COMM. 13-28: From Rep. Stanley Torres attaching letters from CUC & CPA, re. Sewage spill near St. Jude Church.

The Chair recognized Representative Attao.

Rep. Attao: Thank you, Mr. Speaker. During the leadership meeting yesterday, Mr. Speaker, I submitted my oral resignation as a Floor Leader of the House. Today, Mr. Speaker, I would like to make a motion to reorganize the House on the Floor Leader's position, as I vacated yesterday, to have an election in today's session.

Rep. Babauta: Point of clarification.

Speaker Hofschneider: Before I recognize that, I would not allow disruption of the leadership and I hereby call a recess.

The House recessed at 11:06 a.m.

Respectfully submitted,

Lavida S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 13-034: 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. (REP. PEDRO P. CASTRO) [3RD APPEARANCE]