

THE HOUSE  
FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
SIXTH REGULAR SESSION, 1985

SECOND DAY

Tuesday, April 23, 1985

The House of Representatives of the Fourth Northern Marianas Commonwealth Legislature, Sixth Regular Session, 1985, was called to order at 1:55 p.m., Tuesday, April 23, 1985, in the House Chamber, Susupe, Saipan, Northern Mariana Islands.

The Honorable Vicente M. Sablan presided.

A moment of silent prayer was observed.

The House Clerk called the roll. Eleven members were present. Representatives Jose Cabrera, Juan Demapan, Juan T. Guerrero, Pedro R. Guerrero and Gregorio C. Sablan were absent.

Speaker Sablan: The quorum is duly constituted for today's session.

ADOPTION OF JOURNAL

Floor Leader Nakatsukasa: I move for the adoption of the Sixth Regular Session, 2nd Day Journal.

Representative Lifoifoi seconded the motion.

Speaker Sablan: Any comments?

Vice Speaker Tudela: None.

Floor Leader Nakatsukasa: Ready.

The motion to adopt the Sixth Regular Session, 2nd Day Journal, carried by voice vote.

INTRODUCTION OF BILLS

H.B. No. 233: "A BILL FOR AN ACT TO AUTOMATICALLY APPROPRIATE FOR DEFICIT REDUCTION ALL DEOBLIGATED AND LAPSED FUNDS AFTER THE END OF THE FISCAL YEAR IN WHICH THEY WERE APPROPRIATED."

Introduced by: Juan T. Guerrero

Assigned to : Appropriation Committee

H.B. No. 234: "A BILL FOR AN ACT TO APPROPRIATE THE BALANCE OF \$540,000 IN FY 1985 CAPITAL IMPROVEMENT PROJECTS, TO TRANSFER CERTAIN FUNDING OBLIGATIONS UNDER P.L. 4-28, AND FOR OTHER PURPOSES."

Introduced by: Vicente M. Sablan

H.B. No. 235: "A BILL FOR AN ACT TO APPROPRIATE \$158,000 FROM THE BALANCE OF FY 1985 CAPITAL IMPROVEMENT PROJECT FUNDS TO COMPLETE PHASE I OF THE MULTI-PURPOSE GYMNASIUM."

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Introduced by: Juan S. Torres and four others

Assigned to : Appropriation Committee

INTRODUCTION OF RESOLUTIONS

H.R. No. 126: "A HOUSE RESOLUTION TO CONVEY CONGRATULATIONS TO THE NORTHERN MARIANAS STUDENTS ORGANIZATION IN GUAM FOR WINNING FIRST PLACE IN THE UOG CHARTER DAY NIPA HUT CONSTRUCTIONS CONTEST, 1985."

Introduced by: Pedro T. Nakatsukasa

Representative Ignacio Demapan: Mr. Speaker by request the organization of officers have requested that on page 2, lines 4, 5 and 6 be deleted.

Speaker Sablan: If there is no objection from the members I will like to inform the members that the subject resolution have already been adopted by the House, however, there are some recent developments that Representative Ike Demapan will like to make some changes in the previous version of the resolution and if there is no objection perhaps a better approach will be to allow the Clerk to make those necessary changes.

Representative Ignacio Demapan: Well, I will like to move to suspend Rule 10 Section 7(a) to delete these from the original copy of the House Resolution.

Floor Leader Nakatsukasa: Privilege. There is a lot of changes in the last resolving and ending clause. It is in order that the Congressman from Susupe reintroduce this because the deletion will change the entire substance from the resolution. If there is no objection, I will like to make a motion to place this on today's calendar. I will move to suspend Rule 9 Section 7, Rule 7 Section 8(a) so that we can place this on today's calendar.

Speaker Sablan: I will like to find out if Representative Demapan have a clean copy of the immediate changes.

Representative Ignacio Demapan: Mr. Speaker I have a clean copy and I have discussed this with Chairman Benigno Sablan and it will save some time if there is no objection from the members, the section that I am talking about that is being deleted does not do any harm to anybody.

Speaker Sablan: I still think Floor Leader that maybe the fastest approach is to authorize the Clerk to make those deletions.

Floor Leader Nakatsukasa: My good Speaker I am fully aware of that but we have rules to follow. We have to follow the rules for any substantial changes. If it is only a minor change then I will totally agree to give authorization to the Clerk to make the changes, otherwise, if you start this today, then we are going to establish a precedent and from here on we do not have to reintroduce bill, we just authorize the Clerk to make changes. There is no way that we take shortcuts with bills and resolutions because we are acting for the people. I am not against the placing of this resolution in today's calendar, I am only saying that we suspend the rules in order that we can accomodate this and repass it.

Representative Ignacio Demapan: No objection Mr. Speaker.

Speaker Sablan: Okay why don't we have copies made and distribute it to the members and we will go ahead and place the resolution on today's calendar.

H.R. No. 128: "A HOUSE RESOLUTION EXTENDING THE WARMEST CONGRATULATIONS OF THE HOUSE OF REPRESENTATIVES TO ALL THE DELEGATES ELECT TO THE SECOND CONSTITUTIONAL CONVENTION OF THE CNMI UPON THEIR ELECTION."



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Introduced by: Fitial

Speaker Sablan: Do you wish to place the resolution on today's calendar?

Representative Fitial: Yes.

H.R. No. 129: "A HOUSE RESOLUTION REQUESTING THE GOVERNOR TO IMPLEMENT ADMINISTRATIVE PROCEDURES REQUIRING SEPARATE LINES FOR CUSTOMS AND IMMIGRATION AT THE COMMONWEALTH AIRPORTS FOR RETURNING RESIDENTS."

Introduced by: Victor B. Hocog and six others

Representative Hocog: I also ask the Speaker to consider this resolution to be place on today's calendar.

Speaker Sablan: If there is no objection from the members, the resolution just introduced by Chairman Hocog will be place on today's calendar.

MESSAGES FROM THE GOVERNOR

105: Informing the House of Representatives that he has signed into law House Bill No. 148, H.D. 1, S.D.1, C.D.1, entitled, "To appropriate the balance of \$7,367,000 in FY 1985 capital improvement project local funding and to recognize \$7,367,000 from Covenant CIP funds and \$10,155,167 anticipated FY 1985 CIP federal funding.", into Public Law No. 4-40.

Speaker Sablan: Message No. 105, this is FY '85 Capital Improvement Act, H.B. No. 148 and was signed into P.L. 4-40. There are item veto totaling the amount of \$540,000. For the members' information, the Floor Leader has just introduced on today's session a bill that will appropriate the amount vetoed by the Governor. It essentially addresses the Governor's concern for those CIP considered under P.L. 4-28 and also it is a request for an additional \$168,000 for the Agatt and Kagman water equipment processor. Any comments from the members?

Representative Benigno Sablan: Mr. Speaker I just want to know for information purposes whether our good Floor Leader placed this on today's calendar, the bill that was just introuced.

Floor Leader Nakatsukasa: It is up to the Speaker to brief the members in order to have the bill be place on today's calendar.

Speaker Sablan: If there is no objection from the members, I will like to expedite the passage of that measure. When we come down to the Bill Calendar, perhaps at that time the motion will be in order to have the bill place on the calendar and then we can suspend the necessary rules.

Representative Benigno Sablan: Thank you.

Representative Hocog: Point of information Mr. Speaker.

Speaker Sablan: Yes Chairman Hocog.

Representative Hocog: P.L. 4-28, the appropriation I believe has already been expended.

Speaker Sablan: 4-28?

Representative Hocog: Yes.

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Speaker Sablan: The Floor Leader has a copy of the Governor's recent letter which expresses his concern about those CIP items under 4-28.

Floor Leader Nakatsukasa: Mr. Speaker can you brief the members regarding the reason behind this.

Speaker Sablan: The letter from the Governor indicated that with the exception of the \$100,000 appropriated under 4-28 for the Operation and Maintenance of our sewer system, that item along is considered to be under Operations and others are considered to be CIP items. To insure those CIP items which the Governor have considered under P.L. 4-28 are accomodated, we have reintroduced an appropriation act that will basically repeal those items under P.L. 4-28 and place it under this new appropriation bill just introduced. Mr. Floor Leader can you have the copy of the Governor's letter be xeroxed and distributed to all the members.

Floor Leader Nakatsukasa: I move for a five minutes recess.

Speaker Sablan: Let us have a five minutes recess.

The House recessed at 2:10 p.m..

The House reconvened at 2:30 p.m..

Speaker Sablan: The session shall now reconvene. Prior to recess we were under item 5 of our agenda.

106: Informing the House of Representatives that he has signed into law House Bill No. 212, S.D. 1, entitled, "An Act to reserve the amounts of declared interest from the Marianas Public Land Trust for the provision of Health Services, to amend 4 CMC Section 1803 and for other purposes.", into Public Law No. 4-41.

Speaker Sablan: Any comments?

DEPARTMENTAL COMMUNICATIONS

None

SENATE COMMUNICATIONS

154: Returning House Bill No. 122, Committee Substitute 3, entitled "A Bill for an Act to establish a Commonwealth Utilities Corporation, and for other purposes.", which the Senate passed on Second and Final Reading on April 17, 1985, by two-thirds (2/3) vote of the members, a quorum being present, Fourth Northern Marianas Commonwealth Legislature, Third Regular Session, 1985, in an amended form attached hereto as H.B. No. 122, Committee Substitute 3, S.D. 1.

Speaker Sablan: Senate Communication No. 154 pertaining to H.B. No. 122, the Utility Corporation Act which the Senate had returned with amendments. I will like to inform the members that if we are to accept this amendment it will require two-thirds of the members present. Floor Leader will you like to effectuate a motion to accept the Senate amendments.

Floor Leader Nakatsukasa: So move Mr. Speaker.

Representative Fitial seconded the motion.

Speaker Sablan: Discussion.



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Floor Leader Nakatsukasa: Ready.

Speaker Sablan: I will like the Clerk to call the roll.

The Clerk called the roll for the motion to accept Senate amendments on H.B. No. 122, Senate Communication No. 154. The voting result, ten voting yes. H.B. No. 122, Senate Communication No. 154 is hereby accepted with the Senate amendments.

155: Returning House Bill No. 136, H.D. 1, entitled, "A Bill for an Act, to establish the Commonwealth Economic Development Authority; providing for its purposes, powers and duties, providing for its capitalization and operation; imposing an obligation of regular reporting by the authority; and for other purposes.", which the Senate passed on Second Reading on April 17, 1985, by two-thirds (2/3) vote of the members, a quorum being present, Fourth Northern Marianas Commonwealth Legislature, Third Regular Session, 1985, in an amended form attached hereto as H.B. No. 136, H.D. 1, S.D. 2.

Speaker Sablan: Communication No. 155 requires the same two-thirds vote. Floor Leader will you like to effectuate a motion?

Floor Leader Nakatsukasa: So move.

There were several second to the motion.

Speaker Sablan: Discussion.

Representative Hocog: Ready.

Speaker Sablan: Again I will like to emphasize the importance of this legislation.

Representative Torres: Mr. Speaker I will like to request that we refer this communication to the R & D Committee for further deliberation because there are some major changes here that needs to be address.

Speaker Sablan: This has been reviewed Congressman Torres. I believe that even during the time the bill was seating at the Senate it has been coordinated.

Representative Torres: Yes, but it has not gone through the committee process.

Representative Fitial: Mr. Speaker to prevent any jeopardy in passage of this bill we ought to listen to Congressman Torres' suggestion.

Speaker Sablan: Do you have any major concern Congressman Torres.

Representative Torres: I think we are rushing this. It is a very important legislation and if we rush this I do not want to make a mistake, that is why I suggest that we refer this to the appropriate committee so that the entire committee will go over it and address whatever the Senate had amended.

Representative Fitial: Mr. Speaker I am in full support of this bill and I really hate to see this bill repeal so I am suggesting that we follow Congressman Torres' suggestion.

Representative Lifoifoi: I am in full support of this bill Mr. Speaker but I am interested in satisfying the concern of Congressman Torres, the amendment.

Speaker Sablan: The amended version, most of these are the suggestions of the attorneys that were sent here by the Interior Department.

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Representative Torres: Mr. Speaker I will like to bring out on a piece of legislation that we acted recently which concern most of our bond issues and that bill, I think in Section 10, nobody knows anything about it and it concerns the doing away of the removal of the board.

Speaker Sablan: Yes.

Representative Torres: You know I do not want to make the same mistake again.

Speaker Sablan: For your information, our legal counsel has reviewed the bill totally to make sure that everything is in order as we have been discussing the bill. I think all the members have a copy of the legal counsel's reviews and findings. The proposed amendments are basically very important to the bill. Why don't we have a short recess.

The House recessed at 2:35 p.m..

The House reconvened at 2:55 p.m..

Speaker Sablan: The session shall now reconvene. Prior to recess we were discussing Senate Communication No. 155. There is a motion to accept and we are still discussing the bill and Congressman Torres has raise some concerns. As a result of that we went into recess to discuss his concerns. I believe that we have reached an understanding during recess. Any further discussion?

Representative Fitial: For the record Mr. Speaker, the concerns raise by Congressman Torres are very valid concern and there was a tentative agreement that the concerns be formulize into an amendment to be offered at a later date.

Floor Leader Nakatsukasa: Furthermore, I want the record to show that both the Minority and the Majority are in agreement with Congressman Torres' concern.

Speaker Sablan: Thank you. If there is no further discussion, are you ready?

Representative Fitial: Ready.

Speaker Sablan: Clerk please call the roll.

The Clerk called the roll for voting purposes on accepting Senate Communication No. 155, pertaining to H.B. No. 136, H.D. 1. The voting result, ten voting yes. Senate Communication No. 155 is hereby accepted by the House.

156: Transmitting Senate Bill No. 4-79, entitled, "A Bill for an Act providing for the removal of members of the Board of Directors of the Commonwealth Ports Authority for cause.", which the Senate passed on Second and Final Reading on April 17, 1985, by the majority vote of the members, a quorum being present, Fourth Northern Marianas Commonwealth Legislature, Third Regular Session, 1985.

Speaker Sablan: Communication No. 156, this is one of the concern that Representative Torres brought up earlier with regards to the Port Authority Bill, S.B. No. 4-68. If there is no objection from the members perhaps maybe we can entertain this measure today.

Representative Hocog: No objection.

Speaker Sablan: We will place this on the Bill Calendar, Clerk, if there is no objection from the members. Please note this on your Bill Calendar.

157: Transmitting Senate Joint Resolution No. 4-18, entitled, "A Senate Joint Resolution requesting the United Nations Security Council to postpone termination of the trusteeship agreement for the TTPI until completion of multi-year



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financial support discussions between the United States and the Northern Mariana Islands.", which the Senate unanimously adopted on April 17, 1985.

Speaker Sablan: Senate Communication No. 157 requires the House to take action. Floor Leader will you like to effectuate a motion to adopt this.

Floor Leader Nakatsukasa: So move Mr. Speaker.

Vice Speaker Tudela seconded the motion.

Speaker Sablan: Discussion.

Representative Fitial: Ready.

The motion to adopt Senate Communication No. 157 pertaining to S.J.R. No. 4-18, carried by voice vote. The House hereby adopts Senate Communication No. 157.

PETITIONS, MEMORIALS AND COMMUNICATIONS

123: From P. Wilfredo Alarilla, Maj. SC, USAR, OIC, USAR Saipan, relative to House Resolution No. 124.

124: From the undersigned, expressing their concerns over the passage of H.B. No. 148, H.D. 1, S.D.1, C.D.1, "FY 1985 CIP Appropriation Act."

125: From Janet J. McCoy, High Commissioner responding to House Resolution No. 121, regarding the TT Government employees who are being served with reduction-in-force.

126: From Lorenzo LG. Cabrera, Executive Director, transmitting copies of the 1984 Annual Report of the Mariana Islands Housing Authority.

Speaker Sablan: Any comments from the Miscellaneous Communication Nos. 123 to 126.

Representative Fitial: Mr. Speaker if I may, I will like to direct the attention of the members to Miscellaneous Communication No. 124.

Speaker Sablan: This particular communication, I will like to refer this matter to the Appropriation Committee to start looking into it and perhaps to address this concern to the upcoming FY '86 CIP funding.

Representative Fitial: If I may again Mr. Speaker, perhaps you should ask the Committee on Appropriation to indicate that concern to the organization if any.

Speaker Sablan: Communication No. 126, I believe that everyone have copies of the MIHA Annual Report. For those of you who do not have copies may check with the Clerk's Office to request for copies.

Floor Leader Nakatsukasa: I have a copy but . . . . .

Speaker Sablan: Senate Communication No. 126. . . . Floor Leader do you wish to comment?

Floor Leader Nakatsukasa: I have a question on Communication No. 125.

Speaker Sablan: 125? If you wish to make a comment, go ahead Floor Leader.

Floor Leader Nakatsukasa: Mr. Speaker I just want to ask your good office to appoint enough participants for this task force for members in order to address this issue because time is

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closing on us. Most of these people have been advised that their contract will expire by June, otherwise, we will take necessary step to place these individuals in a private or government agency. We should address ourselves at this point in time in order that when June comes we are ready to advise these individuals as to what is their future regarding their employment.

Speaker Sablan: Rather than setting up a task force, I will like the J.G.O. Committee to follow up with Resolution No. 121 which we have adopted, to follow up with the Executive Branch as to what are their plans in terms of accomodating those CNMI citizens that will be affected with the closing down of the T.T. operation here in the Commonwealth.

Representative Torres: I am in support of that resolution knowing that we are under the continuing resolution, I just wonder where we are going to get the money to pay these people to work with the CNMI Government. We have not identified any resources, therefore how would the Governor face these people. I think the legislature is responsible to come up with the necessary appropriation for these people. We cannot put the burden on the government. He doesn't have the funds to hire.

Speaker Sablan: The committee can look into this and find out position vacancies that are available in the government. Every week I receive position vacancy notice from various departments in the government.

Representative Fitial: For your information, those position vacancies are no longer vacant.

Floor Leader Nakatsukasa: Mr. Speaker at this point in time, I know that the Office of the Public Auditor is in surplus of funding. I wonder if the Speaker can get together with the Governor and perhaps request for the Director of Finance to identify some of the surplus.

Speaker Sablan: I think there is a need for us to follow up with the T.T. Headquarters in terms of the number of individuals who are affected by the reduction-in-force, then we can take that information and try to look into the government that would match their experience and their expertise.

Representative Hocog: Mr. Speaker would it be appropriate for the Speaker to get all those statistics and perhaps the Speaker can write a letter to the Governor to freeze hiring at this point in time for these individuals who are effected as a result of the Trust Territory Government seizing. From there on maybe we can see if the people who are affected can be place within our CNMI Government.

Speaker Sablan: Can we get the J.G.O. Committee to formulate something Mr. Chairman?

Representative Benigno Sablan: Yes we will Mr. Speaker.

REPORTS OF STANDING COMMITTEES

- 4-63: Reporting on House Bill No. 117, Committee Substitute 2, entitled, "To prohibit the further importaion of motor vehicles with right hand steering wheels; to amend 9 CMC Sections 1204(c), 2102(c)(1), 4104(d), 4107, 4108, 5310, 5802, 5810(a), 7105(a), 7106, 7109, 7112, 7114, and 8104; to enact 9 CMC Sections 2213, 4416, 5814, 5821, 5822, 5823, 5824, and 7115; to repeal and reenact 9 CMC Section 2108."  
(Your Committee on J.G.O. recommends adoption)

Speaker Sablan: We have a lengthy report, unless you have any comments I believe we should proceed on to our next item of our agenda.

- 4-79: Reporting on House Bill No. 116, Committee Substitute, entitled, "To prohibit each house a lame duck legislature from spending more than one quarter's



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allotment, and for other purposes."

(Your Committee on Appropriation recommends adoption)

- 4-80: Reporting on House Bill No. 157, Committee Substitute 2, entitled, "To establish a Northern Marianas Amateur Sports Association, to add a new Chapter 4 to 1 CMC, Division 9; and for other purposes." (Your Committee recommends adoption)
- 4-81: Reporting on House Bill No. 70, Committee Substitute, entitled, "To prohibit the tethering of cattle, goats, pigs or other livestock or domesticated animals within twenty (20) feet of either edge of any public highway, and to amend 9 CMC Section 5802." (Your Committee on J.G.O. recommends adoption)
- 4-82: Reporting on House Bill No. 63, Committee Substitute, entitled, "To establish a Street Directory Commission and for other purposes." (Your Committee on J.G.O. recommends adoption)
- 4-83: Reporting on Senate Bill No. 4-61, S.D. 2, entitled, "Establishing Financial Disclosure Requirements for Elected and Appointed Public Officials, for certain public employees and for other purposes." (Your Committee on J.G.O. recommends adoption with amendment)
- 4-84: Reporting on House Bill No. 198, entitled, "A Bill for an Act to grant to the Governor powers to establish a system of energy management and conservation when the Governor determines that the Commonwealth of the Northern Mariana Islands is experiencing an energy shortage such that the public health, safety or welfare is endangered." (Your Committee on Appropriation and J.G.O. recommend adoption without amendment)
- 4-85: Reporting on House Bill No. 228, Committee Substitute, entitled, "To set the fee for alien registration and to appropriate those revenues to a fund for the Inspection and Immigration Office, to amend P.L. 3-105, Sections 9 and 24." (Your Committee recommends adoption)
- 4-86: Reporting on House Bill No. 93, Committee Substitute, entitled, "To add a new Article 2 to Chapter 2, Division 1, Title 4 of the Commonwealth Code, to levy an entry fee on nonresident workers, and for other purposes." (Your Committee on Appropriation recommends adoption)
- 4-87: Reporting on House Bill No. 128, Committee Substitute, entitled, "To establishing the Zoning Code of the Northern Mariana Islands and for other purposes."
- And
- House Bill No. 144, Committee Substitute, entitled, "To provide for a Building Code of the Commonwealth of the Northern Mariana Islands and for other purposes." (Your Committee on R & D recommends adoption)
- 4-88: Reporting on Senate Bill No. 4-54, S.D.2, entitled, "A Bill for an Act to amend the Nonresident Workers Act; Chapter 4 of Division 4 of Title 3 of the Commonwealth Code and the Entry and Deportation

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Act; P.L. No. 3-105, and for other purposes."  
(Your Committee on R & D recommends adoption)

4-69: Reporting on House Bill No. 43, Committee Substitute, entitled, "To establish a business license law, to repeal 4 CMC Sections 1503 and 1504, to provide for penalties and for other purposes."  
(Your Committee on R & D recommends adoption)

Representative Fitial: No comments, please proceed.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEE

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

H.R. No. 127: "A HOUSE RESOLUTION TO CONVEY CONGRATULATIONS TO THE NORTHERN MARIANAS STUDENTS ORGANIZATION IN GUAM FOR WINNING FIRST PLACE IN THE UOG CHARTER DAY NIPA HUT CONSTRUCTION CONTEST, 1985."

Floor Leader Nakatsukasa: Mr. Speaker I move for the adoption of H.R. No. 127.

Representative Hocog seconded the motion.

Speaker Sablan: Discussion.

Representative Hocog: Ready.

The motion to adopt H.R. No. 127, carried by voice vote. H.R. No. 127 is hereby adopted by the House.

H.R. No. 128: "A HOUSE RESOLUTION EXTENDING THE WARMEST CONGRATULATIONS OF THE HOUSE OF REPRESENTATIVES TO ALL THE DELEGATES ELECT TO THE SECOND CONSTITUTIONAL CONVENTION OF THE CNMI UPON THEIR ELECTION."

Floor Leader Nakatsukasa: Mr. Speaker with a minor amendment I hope that the original author might perhaps include those individuals that ran for this Con-Con Office and did not win. We should include the names of these people also.

Speaker Sablan: Can we entertain this resolution tomorrow so that we can have the full text of the resolution.

Floor Leader Nakatsukasa: Mr. Speaker I figured out that my request is not in compliance so I move for the adoption of the resolution.

Vice Speaker Tudela seconded the motion.

Speaker Sablan: We do not have the legislation, only the text. This is just for the purpose of the introduction so that tomorrow maybe we can have the full page of the resolution, if there is no objection from the members.

Vice Speaker Tudela: No objection.



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Speaker Sablan: We can prepare the resolution for tomorrow. Any further resolution on the calendar?

Clerk: Yes.

H.R. No. 129: "A HOUSE RESOLUTION REQUESTING THE GOVERNOR TO IMPLEMENT ADMINISTRATIVE PROCEDURES REQUIRING SEPARATE LINES FOR CUSTOMS AND IMMIGRATION AT THE COMMONWEALTH AIRPORTS FOR RETURNING RESIDENTS."

Floor Leader Nakatsukasa: Mr. Speaker I move for the adoption of H.R. No. 129.

Representative Fitial seconded the motion.

Speaker Sablan: Discussion.

Representative Hocog: Ready.

The motion to adopt H.R. No. 129, carried by voice vote. H.R. No. 129 is hereby adopted by the House.

BILL CALENDAR

H.B. No. 117, Committee Substitute 2: "Traffic Code Improvement Act of 1985."

Floor Leader Nakatsukasa: I move for the passage of H.B. No 117, Committee Substitute 2, First and Final Reading.

Speaker Sablan: Do you want this bill to be pass on First and Final Reading?

Floor Leader Nakatsukasa: Mr. Speaker if there is no objection, I will like to make a motion that we pass H.B. Nos. 117 to 128, simultaneously.

Speaker Sablan: We need to go through the bills one by one Mr. Floor Leader. Those bills that you want to pass First and Final Reading, we need to suspend Rule 9 Section 8.

Floor Leader Nakatsukasa: Mr. Speaker in order to have the following bills pass their First and Final Reading, I move that we suspend Rule 9 Section 8 so that we can place all these bills in the First and Final Reading today.

There were several second to the motion.

Speaker Sablan: All the bills?

Floor Leader Nakatsukasa: All the bills.

Speaker Sablan: Discussion on the motion.

Representative Benigno Sablan: Ready.

The motion to suspend Rule 9 Section 8 so that H.B. No. 117, Committee Substitute 2; H.B. No. 116, Committee Substitute; H.B. No. 157, Committee Substitute 2; H.B. No. 70, Committee Substitute; H.B. No. 63, Committee Substitute; S.B. No. 4-61; S.D. 2, H.D. 1, H.D.2; H.B. No. 198; H.B. No. 228, Committee Substitute; H.B. No. 93, Committee Substitute; and H.B. No. 144, Committee Substitute, be pass on First and Final Reading, carried by voice vote.

Floor Leader Nakatsukasa: Mr. Speaker I move for the passage of H.B. No. 117, Committee Substitute 2 on its First and Final Reading.

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Representative Benigno Sablan seconded the motion.

Speaker Sablan: Discussion.

Representative Francisco Cabrera: Ready.

Representative Fitial: There is a concern Mr. Speaker. Is it possible to require the bill not only for maximum speed limit, but also for minimum. We should not only penalize those operators for traveling beyond the speed limit but also those operators who are injuring or impeding travel especially if they are just doing it for the fun of it.

Speaker Sablan: Chairman Sablan do you wish to comment.

Representative Benigno Sablan: Yes, I have the same feeling but I think that this one is very important that we get this out of the way. I think the DPS should have this Traffic Code now to implement those that are not included in the CMC Code. The concern may very well be made into another amendment to this one. We could make that in a very simple way, one page amendment. Let us get this pass and we will continue to work on the amendments for the Traffic Code. I hope my colleague will agree to that so that we can get this going.

Representative Fitial: Yes. Let me continue. Mr. Speaker I also have another concern, after we met that day, the last committee meeting, was there anything done to rectify the solid line on the middle road?

Representative Benigno Sablan: If I remember correctly, we authorized Public Works to come into the picture when there is work on highways.

Speaker Sablan: Yes, that is one place the people are raising some concern, the solid line . . . .

Representative Fitial: According to standard traffic, the rules and regulations from the Monument all the way to Tanapag, right now because of the solid line, passing is prohibited.

Representative Benigno Sablan: Not all the way to Tanapag. As a matter of fact, I think they ran out of paint. What we are talking about is No. 4 on page 11. Section 25 says "approve to design a highway location as proposed by the Department of Public Works." The concern we addressed will get this people in to participate in the actual planning of our highway signs.

Speaker Sablan: Can the Chairman follow up with Public Works immediately?

Representative Benigno Sablan: Yes.

Representative Torres: Mr. Speaker I just heard from a reliable source that the Governor and the Public Works has come together to rectify the concern raise by Congressman Fitial.

Speaker Sablan: So it seems like they are aware of the problems.

Representative Fitial: My concern was whether this bill accomodates the heading together of Public Works and the Governor.

Speaker Sablan: Any other concern?

Representative Benigno Sablan: Just for information again on Section 27 line Item E, we have decided that a moped may not be operated on any highway from 6 p.m., to 6 a.m.. We do not allow them at night. That is a drastic change in this.

Representative Fitial: Mr. Speaker this bill has a lot of teeth that some of us are now aware of.



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Representative Benigno Sablan: This bill prohibits now children in the back of a pick up truck that does not have, only fourteen years and adult are permitted in there. It does not mean to say that if a fourteen year old person is there that other children below fourteen are allow in there. That is not the language of the law. The language of the law says that only adults from fourteen years can sit in the back of the truck without supervision. Anybody who is not fourteen years old and who is not adult would be illegal to sit at the back of the truck. I think right now we have instead of six we proposed ten people, no more than ten. They cannot overload. I think at a later date we will look at the Boating and Safety Act and we will do the same thing, really put teeth on the law. Like my good colleague Fitial has stated, this bill really has a lot of good teeth that will hopefully reduce the number of traffic accidents, number of fatalities, personal injuries, bodily damage.

Representative Fitial: And more importantly Mr. Speaker, it will generate revenue.

Representative Benigno Sablan: We can have now personalize license plates. It will cost you \$50.00 initially and \$25.00 afterwards.

Speaker Sablan: It will cost the vehicle operator twice as much as the regular . . . .

Representative Benigno Sablan: Yes, unpersonalized license plates.

Speaker Sablan: Any further discussion?

Representative Benigno Sablan: I think we are ready for the question.

The Clerk called the roll for voting purposes on H.B. No. 117, Committee Substitute 2. The voting result, ten voting yes. H.B. No. 117, Committee Substitute 2 is hereby passed by the House on its First and Final Reading.

H.B. No. 116, Committee Substitute: "The Legislative Fiscal Discipline Act of 1985."

Floor Leader Nakatsukasa: Mr. Speaker I move for the passage of H.B. No. 116, Committee Substitute, First and Final Reading.

Representative Fitial seconded the motion.

Speaker Sablan: Discussion.

Representative Fitial: Ready.

Floor Leader Nakatsukasa: I just want to know how legal to impose such limitation from the lame duck legislature covering their one term. I feel that the members still have November and December to serve their term and legally under the law you are still a member of the congress. I need to be enlighten on this.

Speaker Sablan: Congressman Torres would you like to respond.

Representative Torres: The idea behind this bill is to restrict any spending authority in the legislature from spending that allotted in one quarter. For instance you are allotted \$500,000, you cannot go and spend \$600,000.

Representative Benigno Sablan: But can you spend the one quarter allotment?

Speaker Sablan: yes. Normally the lame duck legislature sits for one quarter and maybe one week.

Representative Benigno Sablan: But that is not what is prohibited. What is prohibited is to make sure . . . .

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Speaker Sablan: To spend more than one quarter allocation.

Representative Torres: You see the lame duck legislature tends to spend more than what is allotted. Thereby, we are creating difficulty for the incoming members.

Representative Benigno Sablan: I agree.

Speaker Sablan: Does that clarify your concern Floor Leader.

Floor Leader Nakatsukasa: Yes and under Section 4(c), "all members of the legislature shall limit their budget and surplus from personal purposes of their respective offices."

Speaker Sablan: This will prevent you from over spending the one quarter allotment because if you know that you are lame duck and you hire more than the current number of employees on October 1, then you are likely to over spend your first quarter allotment.

Floor Leader Nakatsukasa: Okay, but if you read this section carefully Mr. Speaker, all members of the legislature shall limit employment of personnel for operational purposes. This does not mean that it does not involve money. We are only talking about manpower. As long as you are within your personal budget I do not think, irregardless of whether you hire 100 staff, as long as you are within your operational budget. Does this preclude you from hiring more than five if your money permits you to hire ten.

Representative Hocog: Mr. Speaker I think Subsection (c) is saying that any incumbent shall not hire any additional employee during your time of the first quarter.

Representative Fitial: During your lame duck? (Laughter)

Representative Torres: The intent is that as long as you do not spend more than what you have . . . .

Floor Leader Nakatsukasa: The way I interpret this bill, we are only limited to manpower and not funding, it says, "it shall limit employment."

Speaker Sablan: Yes, this is to prevent the lame duck legislature from hiring freely for a short period of time.

Floor Leader Nakatsukasa: Mr. Speaker you cannot prohibit any lame duck as long as there is still funds. That will be unconstitutional. As long as you are still in office nobody can stop you irregardless of whether you lose the election or won the election or choose not to run. Your term of office is up on the following January 9th. The bill itself is very good. My only concern is that if you are within your budget limit and you cannot hire plenty, you have to limit only five, this is my concern here.

Speaker Sablan: I think the key section of the bill is Section 3, as long as you do not exit your spending authority for first quarter allotment.

Representative Hocog: I do not see any reason myself Mr. Speaker to hire any additional employment.

Speaker Sablan: That is correct.

Representative Hocog: If my current employees are still on board, I do not see any reason why I should hire any new employees.

Representative Fitial: If you are already lame duck.

Representative Hocog: Yes if you are already lame duck.



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Floor Leader Nakatsukasa: Mr. Speaker let us not fool ourselves. There are times when we should accomodate some of your patronage supporters. We should address ourselves from there, or otherwise, I move for the previous question.

Speaker Sablan: Ready?

Representative Hocog: Ready.

The Clerk called the roll for voting purposes on H.B. No. 116, Committee Substitute. The voting result, ten voting yes. H.B. No. 116, Committee Substitute is hereby passed by the House on its First and Final Reading.

H.B. No. 157, Committee Substitute 2: "Northern Marianas Amateur Sports Association Act."

Floor Leader Nakatsukasa: I move for the passage of H.B. No. 157, Committee Substitute, First and Final Reading.

Vice Speaker Tudela seconded the motion.

Speaker Sablan: Discussion.

Representative Hocog: Ready.

The Clerk called the roll for voting purposes on H.B. No. 157, Committee Substitute. The voting result, ten voting yes. H.B. No. 157, Committee Substitute is hereby passed by the House on its First and Final Reading.

H.B. No. 70, Committee Substitute: "To prohibit the tethering of Animals."

Floor Leader Nakatsukasa: I move for the passage of H.B. No. 70, Committee Substitute, First and Final Reading.

Speaker Sablan: Discussion.

Representative Fitial: Ready.

Representative Benigno Sablan: Mr. Speaker can we give time to those farmers who pasture their cows and goats next to the road, a couple of weeks extensive educational. I notice that in my precinct (laughter) there seems to be a lot. I have to go out and talk to these people and make sure that they understand this law.

Floor Leader Nakatsukasa: I will assure my good colleague that I will personally write a letter to the Attorney General and make sure that they promulgate this law as soon as we pass it.

Representative Benigno Sablan: You are challenging my statement Floor Leader. (Laughter)

Speaker Sablan: You are going to write to request the Attorney General to exclude . . . .

Floor Leader Nakatsukasa: To promulgate this law prohibiting the tethering of animals.

Representative Benigno Sablan: Ready Mr. Speaker.

The Clerk called the roll for voting purposes on H.B. No. 70, Committee Substitute. The voting result, seven voting yes and three voting no. H.B. No. 70, Committee Substitute hereby passed the House on its First and Final Reading.

H.B. No. 63, Committee Substitute: "Street Directory Act of 1985."

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Floor Leader Nakatsukasa: I move for the passage of H.B. No. 63, Committee Substitute, First and Final Reading.

There were several second to the motion.

Speaker Sablan: Discussion.

Representative Lifoifoi: Ready.

Representative Benigno Sablan: Mr. Speaker I want to stress on the Street Directory Act. The villages particularly like San Jose or Tanapag or San Roque, the streets to be name, we should use the names of the older people who passed away in our villages and should be given that priority. I hope that this communication will be taken seriously so that in the county Tanapag, I do not see "Charlie Brown's" name on our highway. I want to see the name of "Tun Juan Pua," or somebody who serves the village well. I want to see those names in our street.

Speaker Sablan: I think the bill provides for a public hearing before streets are named.

Floor Leader Nakatsukasa: Mr. Speaker it is very clear that names to be picked should reflect the local culture and heritage.

Representative Benigno Sablan: I am just reemphasizing Mr. Speaker.

Representative Hocog: Can we make it clear Mr. Speaker that we only name the streets after a decease person.

Speaker Sablan: The bill provides for that.

Representative Hocog: This bill prohibits us to name a road after a person who is still alive.

Speaker Sablan: Yes and there is a good reason for that. The person might be good today but tomorrow he might be something else. (Laughter) One wrong doing and that will destroy the whole thing.

Representative Hocog: Yes but after all the contribution that he has made in the community.

Speaker Sablan: Yes but one wrong doing and there it goes out the window.

Representative Fitial: One thing may be good for the Chamorro but seriously may not be very good for the Carolinian. The Carolinian, this is against their custom to bring back the name of the dead. I know this bill will only benefit the Chamorros.

Speaker Sablan: But it could be culture because it allows for culture heritage.

Representative Fitial: When a Carolinian dies everything that he owns or she owns goes with the dead.

Representative Benigno Sablan: But you see my good colleague, customs are changing and they continually change so eventually this will also serve the Carolinians.

Speaker Sablan: The bill also provides for flexibility in regards to culture and heritage.

Representative Fitial: I was just pointing the Carolinian custom because it is still very much alive.

Speaker Sablan: Further discussion?



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Representative Fitial: Ready.

The Clerk called the roll for voting purposes on H.B. No. 63, Committee Substitute. The voting result, ten voting yes. H.B. No. 63, Committee Substitute hereby passes the House on its First and Final Reading.

S.B. No. 4-61, S.D. 2, H.D. 1: "Financial Disclosure Act of 1985."

Floor Leader Nakatsukasa: I move for the passage of S.B. No. 4-61, S.D. 2, H.D. 1, First and Final Reading.

Vice Speaker Tudela seconded the motion.

Speaker Sablan: Discussion.

Representative Fitial: This is a requirement that is presently practice for all elected officials under the election law.

Speaker Sablan: No that is only limited to election expenditure, campaign expenditure, but this has something to do with disclosing your financial assets, your financial condition as a public official.

Representative Fitial: For some of us without the campaign we will not have any financial disclosure.

Floor Leader Nakatsukasa: Mr. Speaker the term public official is very broad. Any government employee could be consider a public official unless we come with an actual definition as to who are this public official.

Speaker Sablan: These are elected officials.

Floor Leader Nakatsukasa: Public officials, there are some more provisions which inject the members of board and official. These are public officials.

Speaker Sablan: And also appointed officials.

Floor Leader Nakatsukasa: Yes they are appointed officials, but what about like the Board of MPLC, they are the board that requires . . . .

Speaker Sablan: That is correct. It is all cover in this bill, Section 4 and 5.

Representative Benigno Sablan: This committee report should have come out of my office. I do not know how it is routed. I have not seen this and I have not sanctioned it out of my office calendar. I do not know how it got out here.

Speaker Sablan: You were off-island I think.

Representative Fitial: This was routed by a member of your staff upon the instruction of the legal counsel, Bergsma.

Speaker Sablan: I think this is one of the bill that you have instructed the legal counsel to refine.

Representative Benigno Sablan: Yes but it should come back to my office.

Speaker Sablan: Unfortunately during that time you were in Guam for the APIL.

Representative Benigno Sablan: I just want to point out the unusual route of such report.

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Speaker Sablan: I think the original copy is still available if you want to put your signature.

Representative Benigno Sablan: Thank you.

Representative Hocog: Mr. Speaker in the event that any elected official do not have anything to disclose . . . .

Speaker Sablan: He will disclose zero. We are required to disclose whether the amount is zero or one penny.

Floor Leader Nakatsukasa: Can I bring your attention to the heading? "A Bill for an act to establish financial requirements for elected and appointed public officials, for certain public employees and for other purposes."

Speaker Sablan: Section 5 of the bill covers "for certain public employees", page 1.

Floor Leader Nakatsukasa: Did we address ourselves Mr. Speaker to the departments whether they should disclose their financial standings? I do not think that it is fair for us to crucify Marianas Public Land Corporation and EDLF because that is where the money is. We should look into a broader sense.

Representative benigno Sablan: There are several others in here, not only MPLC.

Floor Leader Nakatsukasa: Well, Commerce and Labor, Immigration. Mr. Speaker my argument at this point in time I should put it this way, that rather than putting Immigration I rather that we put in a provision that we should not authorize them to hire any alien labors because that is where the papers for alien labors are being processed. If we are concern about corruptions even a janitor and even the employees at Public Works, there are time when we give them beer to drink while they are performing public services. If this is our intention then we should really be honest to ourselves. We should not crucify immigration because at times we hear news that one Korean guy tries to bribe some Immigration Officer \$300.00 or the Labor Department. I believe that we should exclude these two departments Mr. Speaker. The recruiting of alien labors is where the conflict exist. Now, if we are concern about money under the table, let us not fool ourselves, even the janitor at Public Works get this bribe. I move Mr. Speaker that we strike out Immigrations and Labor and Commerce.

Representative Fitial: Before any motion can be effected I will like to bring out a point also. I am in support of Section 3 and 4 and I am only partially in support of Section 5. I do not think that it is fair to require all the employees. You know some of these employees are Civil Service Employees and they have the Civil Service system, their rules and regulations to govern their contract of employment. I just feel that this is rather too much, Section 5. It is asking too much of the employees of this respective agents of government. Perhaps the top employees or those employees who are holding responsible positions in these respective agencies should be subjected to this requirement, but not all employees. Especially when you look at Section 6, the context of the statement, some of these employees may find it rather difficult to fulfill or meet these requirements. We have to consider the employees involved and the complexity of the financial statement that this law will be requiring.

Speaker Sablan: If you look at Section 8 of the bill that requires the Public Auditor to make the rules and regulations and the necessary forms to be fill in.

Floor Leader Nakatsukasa: Mr. Speaker experience will tell us that under the Third Legislature they passed a bill regarding alien labor. Under that bill they authorize the Director of Commerce and Labor to promulgate rules and regulations, up to now there is no rules and regulations pertaining to labor matter has been promulgated. Are we going to continue giving this authority to them? We might as well come up with a statute.



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Speaker Sablan: The bill is for the Public Auditor, Mr. Floor Leader.

Floor Leader Nakatsukasa: I am referring to Public Auditor. We are giving the Public Auditor the authority to promulgate regulations, for how long. There is not even one public auditor report that has been presented to the legislature. Which is more important, to promulgate this kind of bill or audit the accountability of the government agency. I am not emotional this afternoon Mr. Speaker, but I think we should come out with the proper rules and procedures. Let us be fair. I am against those guys who are crook.

Speaker Sablan: Let us have a short recess Mr. Floor Leader.

The House recessed at 3:50 p.m..

The House reconvened at 4:00 p.m..

Speaker Sablan: The session shall now reconvene. Prior to recess we were discussing S.B. No. 4-61, S.D. 2, H.D. 1. Prior to recess the discussion, the concern was raise on the requirement of the legislation. I believe that the floor amendment is ready and will be offered by Chairman Ben Sablan.

Representative Fitial: Before the amendment is offered Mr. Speaker I will like to point out the discrepancy of the floor amendment. I think the word "employees" should be deleted instead of the word "or."

Speaker Sablan: No, after the word "or" insert "directors" and cross out the word "employees."

Representative Fitial: Sorry. I stand always to be corrected.

Speaker Sablan: You may proceed Chairman Ben.

Representative Benigno Sablan: I have for you the amendment, if you take a look at page 1, line 21, on Section 5, after the word "All" insert "directors, deputy directors and chiefs" and continue the rest.

Speaker Sablan: Strike the word "employees" ?

Representative Benigno Sablan: Yes, strike the word "employees."

Representative Hocog seconded the motion for the adoption of the floor amendment to S.B. No. 4-61, S.D. 2, H.D. 1.

Speaker Sablan: Discussion.

Representative Fitial: I think we have a concensus.

The motion to adopt the proposed floor amendment as offered by Representative Ben M. Sablan, carried by voice vote.

Speaker Sablan: We will now discuss S.B. No. 4-61, S.D. 2, H.D. 2.

Floor Leader Nakatsukasa: Mr. Speaker on Section 8 is it necessary that the Public Auditor promulgate the regulations?

Speaker Sablan: I think the most appropriate agency will be the Public Auditor.

Floor Leader Nakatsukasa: Can you enlighten me on the language "Public Auditor may promulgate". Is it true that if he does not want to promulgate then it is up to him. Right?

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Speaker Sablan: It may sound permissive Mr. Floor Leader, but . . . .

Floor Leader Nakatsukasa: We should put the word "shall" because this is questionable. If he has plans to promulgate he will promulgate, if he doesn't then he will not.

Representative Fitial: I think our Floor Leader has a very strong and valid point.

Floor Leader Nakatsukasa: Shall we put the word "shall" Mr. Speaker?

Speaker Sablan: Do you want to offer that in the form of an amendment?

Floor Leader Nakatsukasa: So move.

Speaker Sablan: Why don't we just reach concensus to change the word "may" on line 22, page 2 to "shall".

Representative Benigno Sablan: Yes I think that will be fine.

Speaker Sablan: Is there any objection from the members?

Representative Fitial: You got my support.

Representative Benigno Sablan: No objection.

Speaker Sablan: If there is no objection, the word "may" shall be change to "shall". Further discussion on the bill?

Representative Benigno Sablan: Ready.

The Clerk called the roll for voting purposes on S.B. No. 4-61, S.D. 2, H.D. 2. The voting result, ten voting yes. S.B. No. 4-61, S.D.2, H.D.2 hereby passes the House on its First and Final Reading.

H.B. No. 198: "Commonwealth Emergency Energy Act of 1985."

Floor Leader Nakatsukasa: I move for the passage of H.B. No. 198, First and Final Reading.

There were several second to the motion.

Speaker Sablan: Discussion.

Vice Speaker Tudela: None.

The Clerk called the roll for voting purposes on H.B. No. 198. The voting result, ten voting yes. H.B. No. 198 hereby passes the House on its First and Final Reading.

H.B. No. 228, Committee Substitute: "Alien Registration Fee and Fund Act of 1985."

Floor Leader Nakatsukasa: I move for the passage of H.B. No. 228, Committee Substitute, First and Final Reading.

Vice Speaker Tudela seconded the motion.

Speaker Sablan: Discussion.

Vice Speaker Tudela: Ready.

The Clerk called the roll for voting purposes on H.B. No. 228, Committee Substitute. The voting result, nine voting yes and one voting present. H.B. No. 228, Committee Substitute hereby passes the House on its First and Final Reading.



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H.B. No. 93, Committee Substitute: "Nonresident Workers Entry Fee Act."

Floor Leader Nakatsukasa: I move for the passage of H.B. No. 93, Committee Substitute, First and Final Reading.

Vice Speaker Tudela seconded the motion.

Speaker Sablan: Discussion.

Representative Francisco Cabrera: Ready.

The Clerk called the roll for voting purposes on H.B. No. 93, Committee Substitute. The voting result, ten voting yes. H.B. No. 93, Committee Substitute hereby passes the House on its First and Final Reading.

H.B. No. 128 and 144, Committee Substitute: "The Zoning Code of the Commonwealth of the Northern Mariana Islands."

And

"Building Code."

Floor Leader Nakatsukasa: I move for the passage of H.B. No. 128 and 144, Committee Substitute, First and Final Reading.

Representative Benigno Sablan seconded the motion.

Speaker Sablan: Discussion.

Representative Benigno Sablan: Ready.

Speaker Sablan: Clerk please call the roll for both bills.

Representative Fitial: Can we vote on each bill separately?

Speaker Sablan: Okay.

The Clerk called the roll for voting purposes on H.B. No. 128, Committee Substitute. The voting result, five voting yes, two voting no and three voting present. H.B. No. 128, Committee substitute passes the House on its First and Final Reading.

The Clerk called the roll for voting purposes on H.B. No. 144, Committee Substitute. The voting result, eight voting yes and two voting present. H.B. No. 144, Committee Substitute hereby passes the House on its First and Final Reading.

S.B. No. 4-54, S.D. 2, H.D. 1: "Nonresident Workers Amendment Act of 1984."

Speaker Sablan: I will like to go on record Mr. Floor Leader that we reached a concensus to go on First Reading only for this bill.

Representative Torres: This is not the bill Mr. Speaker.

Speaker Sablan: Okay.

Floor Leader Nakatsukasa: I move for the passage of S.B. No. 4-54, S.D. 2, H.D. 1, First and Final Reading.

Representative Hocog seconded the motion.

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Speaker Sablan: Discussion.

Representative Fitial: Ready.

Representative Benigno Sablan: For your information this was H.B. No. 180 merged with S.B. No. 54. Now we will no longer have H.B. No. 180. The double line in the bill is the House amendment and the single line is the Senate's.

Representative Francisco Cabrera: Ready.

Representative Torres: Mr. Speaker I think this is the bill that we agreed upon to have it read on First Reading only.

Speaker Sablan: Let us have a short recess.

The House recessed at 4:20 p.m..

The House reconvened at 4:35 p.m..

Speaker Sablan: The session shall now reconvene. Prior to recess we were on S.B. No. 4-54, S.D. 2, H.D. 1.

Floor Leader Nakatsukasa: I will like to make a motion to withdraw my previous motion to place this on today's calendar for its First and Final Reading.

Speaker Sablan: To withdraw?

Floor Leader Nakatsukasa: Withdraw. I will like to reinstate another motion to place this bill on First Reading only.

There were several second to the motion.

Speaker Sablan: Discussion.

Representative Fitial: Mr. Speaker if I may, before the Second Reading I will like to request that Section 10(b) of Section 1, we review and possibly change to restrict the non-resident workers from getting temporary jobs.

Representative Benigno Sablan: What page?

Representative Fitial: Page 12, line 14 all the way down. Mr. Speaker we are encountering problems respecting the continuation of non-resident workers who are engaged in some grievances or cases in the court and the Labor Division have been granting temporary working office section, which is only supposed to be valid for 30 days, yet they have been under this authorization for more than a year, some two years and it is getting to the point where temporary is no longer an issue. I will respect the request that this particular concern be reviewed and analyzed so that we should prevent the extension of temporary working authorization to be no longer than 30 days.

Speaker Sablan: In other words to limit to 30 days?

Representative Fitial: No longer than 30 days.

Representative Benigno Sablan: Mr. Speaker the present practice of the Commerce and Labor is to have a temporary working permit or work authorization for 30 days and that upon the termination of the 30 days, they can reapply again so they go on a month to month basis. How do you propose to eliminate that loophole.



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Representative Fitial: The problem with this Mr. Speaker, our Labor Division is at fault here most of the time because some cases that should be adjudicated by the Labor Division are not done. That pushes the temporary further, more than 30 days. The committee should study this and come out with a solution. Another concern Mr. Speaker is that when this agreed employees are granted temporary working permit, the temporary working permit should be limited to the classification of jobs for which they are classified originally. We do not want to see live-in maids operating the cashier or whatever.

Representative Benigno Sablan: May I ask my good colleague to point the other section in this bill because my good Chairman in R & D is not here and I have to act on it.

Speaker Sablan: I believe the Chairman of R & D will be back tomorrow.

Floor Leader Nakatsukasa: I notice that there are some provisions that are not accurate on this bill. For example, there is no provision in here that if a run away contract employee that we must give him a temporary working permit. If something happens and this employee dies, who will bear the cost to take or send the dead body to the Philippines.

Representative Fitial: Under the present law Mr. Speaker, if I may . . . .

Floor Leader Nakatsukasa: Yes but it is fair to let the original employer take the burden because the alien labor was the one that ran away to a new employer. Under this legally the contract was retain by the original employer.

Representative Benigno Sablan: No more transfers according to this bill.

Floor Leader Nakatsukasa: No?

Representative Fitial: The concern from the Floor Leader is accomodated on page 13, line 4. The temporary employer will then assume the responsibility.

Floor Leader Nakatsukasa: "Complaint by the chief" are we referring to the Fire Chief or some other chief? (Laughter)

Representative Benigno Sablan: There is a definition already on the "Chief", the Chief of Labor.

Floor Leader Nakatsukasa: This might sound funny but when the case comes up they will look into this?

Representative Fitial: If you take a closer look in that concern you will see that they strike out "the Division of Labor". This is because if they put the Division of Labor then this becomes redundant.

Representative Benigno Sablan: That is the reason why they struck this out. It has been defined on page 2.

Floor Leader Nakatsukasa: But the law, it doesn't matter whether it is redundant, we have to prove the language and the provisions.

Representative Fitial: Sometimes redundancy is needed for clarity. (Laughter) Ready for the question.

Speaker Sablan: At any rate, those concerns will be address before the Second Reading.

Floor Leader Nakatsukasa: Mr. Speaker I know this is not very nice for me to ask my colleagues, but this is the occasion to discuss the bill. I notice that on the Committee Report, Congressman Lifofoi is asking for some investigation.

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Speaker Sablan: No, Congressman Lifoifoi is a member of the R & D.

Representative Lifoifoi: Mr. Speaker I understand that this bill will be read First Reading and then back the original jurisdiction, the R & D Committee.

Representative Benigno Sablan: That is why I am not opposing on the First Reading Mr. Speaker.

Representative Hocog: Then Representative Lifoifoi will sign the Committee Report without reservation.

Speaker Sablan: On Second Reading.

Representative Fitial: Ready for the question.

The motion to pass S.B. No. 4-54, S.D. 1, H.D. 1, First Reading, carried by voice vote.

Floor Leader Nakatsukasa: Mr. Speaker I move that we adjourn until tomorrow at 9:00 a.m..

Representative Fitial seconded the motion.

Speaker Sablan: We have two more bills.

Representative Fitial: We have two more bills?

Speaker Sablan: Otherwise I will not take you guys out for a drink.

Representative Fitial: In that case I withdraw my second.

S.B. No. 4-79: "PROVIDING FOR THE REMOVAL OF MEMBERS OF THE BOARD OF DIRECTOR OF THE COMMONWEALTH PORTS AUTHORITY FOR CAUSE."

Speaker Sablan: For this particular bill we need to suspend the appropriate rules, Rule 9 Section 7, Rule 7 Section 8 and Rule 9 Section 8.

Floor Leader Nakatsukasa: So move Mr. Speaker.

Representative Fitial seconded the motion.

Speaker Sablan: Okay, the motion is to suspend Rule 9 Section 7, Rule 7 Section 8 and Rule 9 Section 8.

The motion to suspend Rule 9 Section 7, Rule 7 Section 8 and Rule 9 Section 8 so that S.B. No. 4-79 be place on today's calendar for its First and Final Reading, carried by voice vote.

Speaker Sablan: You may now effectuate a motion Mr. Floor Leader to have this bill pass on First and Final Reading.

Floor Leader Nakatsukasa: So move.

There were several second to the motion.

Speaker Sablan: Discussion.

Representative Fitial: Ready.



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The Clerk called the roll for voting purposes on S.B. No. 4-79 pertaining to Senate Communication No. 156. The voting result, ten voting yes. S.B. No. 4-79 hereby passes the House on its First and Final Reading.

Second Reading

H.B. No. 43, Committee Substitute: "Business License Act of 1985."

Representative Hocog: Before we act on H.B. No. 43, on behalf of my good colleague, Representative Juan T. Guerrero, I will like to ask the rest of the members to endorse the floor amendment offered by my good colleague.

Speaker Sablan: We will get to that during the discussion of the bill.

Floor Leader Nakatsukasa: I move for the passage of H.B. No. 43, Committee Substitute, Second and Final Reading.

There were several second to the motion.

Speaker Sablan: Discussion. I believe that there are two proposed amendments to be offered, one is from Representative Juan T. Guerrero who has asked the Representative from Rota to offer the amendment on his behalf. Also Chairman Ben Sablan have a proposed floor amendment.

Representative Hocog: On page 6, line 24 insert the following language:

"These classifications are solely for the purpose of establishing license fees, they are not intended to change tax classifications as established in 4 CMC Sections 1303 and 1304."

Speaker Sablan: How about the rest of the proposed floor amendments.

Representative Benigno Sablan: May I offer also my floor amendment.

Speaker Sablan: Can we entertain the proposed floor amendment offered by Representative Juan T. Guerrero and then we will entertain yours. Chairman Hocog there are two proposed floor amendments, one is the one that you have just read, and the other one is to change pages 4, 5 and 6. Why don't we put that into one motion as the floor amendment at this time.

Representative Hocog: So move Mr. Speaker.

Representative Benigno Sablan seconded the motion.

Speaker Sablan: Discussion on the proposed floor amendment.

Representative Fitial: Yes, question. Why do we need this language after line 24. I thought the purpose of Section 2, line 3 of page 1 already made that point very clear.

Floor Leader Nakatsukasa: Mr. Speaker I move that we defer action on this bill. The original intention of the bill I concurred with my signature. I never knew that they were to make the changes regarding licensing. I cannot tolerate to sign this bill with this kind of . . . .

Representative Hocog: Privilege Mr. Speaker. We are not making any changes. We are proposing a floor amendment.

Speaker Sablan: We have not decided. We are discussing the floor amendment Mr. Floor Leader. I believe the language of the proposed floor amendment is to make it clear that this has something to do only with business licenses and do not apply to the revenue and taxation of P.L. 3-11.

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Representative Fitial: That is on Section 2, "Issuance of Licenses."

Speaker Sablan: No, the fees for each classification of businesses or categories.

Floor Leader Nakatsukasa: We are looking at the proposed floor amendment. I think we should re-examine ourselves whether we are really serious in trying to help our Commonwealth Government with the present financial situation or are we just trying to play Santa Claus. I am arguing on the proposed amendment. Mr. Speaker I will give you one example, the insurance business are making about a million dollars a year especially at this place. It is lucky if they disburse \$100,000 a year, and to let them pay \$150 to \$200 license fee is a sin to God. (Laughter) At this time you go to any insurance business and ask them their financial statement and see how much profit they are making.

Speaker Sablan: Floor Leader even at the current license fee, the proposed floor amendment is higher a little bit than the existing fee.

Floor Leader Nakatsukasa: From the beginning I was misled when I signed this Committee Report because this was not included. Looking at this, this is a sin.

Representative Fitial: Hotel fees went down very drastically from \$1,000 to . . . .

Floor Leader Nakatsukasa: Mr. Speaker I know that it is an election year and I do not think the businesses will take it seriously that we are trying to impose this burden on them. I am not doing this for my own interest. Whatever the government receives from these fees, they will be distributed equally to the resident of the Commonwealth people.

Speaker Sablan: I will like to point to the members that the license fees is not where we make or generate revenue.

Floor Leader Nakatsukasa: For that simple reason that this happens only once a year because if it happens every month, even lowering it to \$50 I will agree, but you pay only once a year. How much revenue are we going to get?

Speaker Sablan: This is not for the general revenue.

Floor Leader Nakatsukasa: Irregardless Mr. Speaker. During our discussion with the committee I stated that even Jack and Jill, in order to discourage Filipinos who are here and if they have \$50 they will open their recruitment agency. I proposed to enforce \$500 license fee in order to discourage outsiders. When I went to Guam for the APIL Conference they came out and put \$150. This is not fair. What are we trying to do. We want to protect our people that is why I agreed with the original version, I proposed \$1,000 for any recruitment agency. There are about 50 recruitment agencies and most of them are owned by Filipinos. I am not prejudice, but with the present system, should they have \$50 in their banking account they could open any kind of business. I hope my good colleagues will not mind me for speaking this long, but it is not fair.

Representative Lifoifoi: Let us have a short recess.

Speaker Sablan: Let us have a short recess.

The House recessed at 5:00 p.m..

The House reconvened at 5:10 p.m..

Speaker Sablan: Prior to recess we were discussing the proposed floor amendment as offered by Representative Hocog on behalf of Representative Juan T. Guerrero.

Representative Hocog: I will like to withdraw my motion on the amendment of the bill, H.B. No. 43.



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Speaker Sablan: Only the subsequent motion?

Representative Hocog: The amendment on pages 4, 5 and 6.

Speaker Sablan: But the rest, you want it adopted, right?

Representative Hocog: Right.

Speaker Sablan: Any second to that motion?

Vice Speaker Tudela seconded the motion.

Speaker Sablan: Discussion.

Representative Hocog: Ready.

Speaker Sablan: The motion is to withdraw the original motion and that is to replace pages 4, 5 and 6 of the bill, but to proceed with the adoption of the language proposed amendment.

The motion to withdraw the motion of the original motion, which is to replace pages 4, 5 and 6 of H.B. No. 43, Committee Substitute, carried by voice vote.

The motion to adopt the proposed amendment offered by Representative Juan T. Guerrero, on page 6, line 24 of H.B. No. 43, Committee Substitute, carried by voice vote.

Floor Leader Nakatsukasa: I move that we refer H.B. No. 43, Committee Substitute, to the original committee.

Representative Benigno Sablan: May I offer my floor amendment first.

Speaker Sablan: Proceed.

Representative Benigno Sablan: In front of you is April 22, 1985, letter to the Speaker from my Committee's Office. In the form of a motion also Mr. Speaker, I am offering the motion to amend Section 22, Penalties, by adding an addition Subsection (d) and the present Section (d) is redesignated as Subsection (e).

For Subsection (d) I would like to specify "Any licensee who is not a domestic business, a citizen or permanent resident of the Northern Marianas, or a citizen of the United States who violates any provision of this Act, 3 CMC Division 4, Chapter 3 and 4, or is convicted of a felony shall not be eligible for a business license and such violation shall constitute grounds for deportation and immediate revocation of all other business licenses issued."

Representative Hocog seconded the motion.

Speaker Sablan: Discussion on the proposed floor amendment.

Floor Leader Nakatsukasa: Mr. Speaker I seldom argue with my close colleague in here, but I cannot help it. I do not think it is constitutional to reject those people who are not Commonwealth or U.S. Citizens in regard to this proposed amendment offered by my good colleague. I do not think this is fair to impose this kind of provisions. In Guam under the law, if you obtain a business permit then you are privileged and I am privileged to the law to conduct a business. Whether you are Negro or Indian, if you are to be punish, you will be punish under the same provisions of the penalty. I do not believe that a Negro will get a more severe punishment than the Indian. If one breaks the law, then he or she gets punish.

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Representative Benigno Sablan: I do not know where in my amendments that discriminates between non-residents. I am saying here that a licensee who is not a domestic business, a citizen or a permanent resident, I am not reclassifying to say those that are outsiders or non-resident or whatever. My intention are for citizens and permanent residents. I do now know where the argument comes in.

Floor Leader Nakatsukasa: What about those that are not permanent residents.

Representative Hocog: Mr. Floor Leader it says here any licensee who is not a domestic business or a citizen of the Commonwealth Resident. That means that all person doing businesses, provided however that it does not violate the law.

Representative Benigno Sablan: Basically what I am saying is all businesses here. I am including the citizens and permanent residents. Is that satisfactory to you my good Floor Leader?

Floor Leader Nakatsukasa: For the time being. (Laughter)

Speaker Sablan: Any further discussion on the proposed floor amendments?

Representative Ignacio Demapan: Mr. Speaker I tend to agree with Congressman Sablan, however I think deportation is quiet severe on the issue. They have to also consider the area of generating more revenues, more taxes for the government. I believe a fine is adequate for such violation.

Representative Benigno Sablan: My intention here is only eligible, shall constitute grounds, which take this to mean that you are to be deported if you violate certain information of our law. I do not think that is the gist of the amendments. What I am simply saying is that if there is grounds on this condition and somebody in the Enforcement Law and Judicial Branch will determine what that amounts to be, we are not dictating that an individual who violates will be deported by the way, it says, shall constitute for grounds of deportation. This is subject to discussion or debate on perhaps the administration or the Judiciary. I am only offering amendments that would assist in general the people of the Northern Marianas. In particular, if we have for instance like the Korean Bars who constantly violates our Civil laws, these people I think should be deported. If there is no such law that protects the deportation or word including the word that would give them that they have to be convicted in order for them to have grounds for deportation, then that grounds for deportation will be discuss.

Speaker Sablan: This legislation requires conviction of the violation.

Representative Torres: Isn't this included in the Immigration Law?

Representative Benigno Sablan: See there is no specific language that there will be a constitute grounds for deportation. We are adding that into the present law that we have in the Immigration Law, and so is this Domestic Business Act.

Speaker Sablan: Any further discussion?

Representative Lifoifoi: Ready.

The motion to adopt the proposed amendments offered by Representative Benigno Sablan to H.B. No. 43, carried by voice vote.

Speaker Sablan: We will now go back to discuss the bill in the form of Committee Substitute, H.D. 2.

Representative Fitial: Ready.



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The Clerk called the roll for voting purposes on H.B. No. 43, H.D. 2, Committee Substitute. The voting result, ten voting yes. H.B. No. 43, H.D. 2, Committee Substitute passes the House on its Final Reading.

Speaker Sablan: Next bill on the calendar.

Clerk: None Mr. Speaker.

Floor Leader Nakatsukasa: Motion that the House stands adjourn subject to the call of the Chair.

Representative Lifoifoi seconded the motion.

Speaker Sablan: Before we entertain that motion Mr. Floor Leader I will like to announce that there is a Youth-Take-over Day this coming Friday. I will like to reach a concensus that we have a session for this day at ten o'clock in the morning. Tomorrow we will have a session at 2:00 p.m..

Floor Leader Nakatsukasa: After that Youth-Take-Over Day, I think we should prepare because we are caught in the middle with the legislation where we are not prepared, I think we should prepare what we are to discuss. Those students are our future leader to tomorrow. I hope that we get together sometimes Wednesday or Thursday.

Speaker Sablan: You have a good concern Mr. Floor Leader. I will like to ask each member to be prepared and have themselves ready. Maybe a mock session will be in order for the students to participate.

Representative Benigno Sablan: Let us get some controversial bill.

Speaker Sablan: If you have any ideas, prepare a resolution or a hill for the students to really discuss, I urge that you prepare something. We can use old bills. Okay, can we adjourn until tomorrow at 2:00 o'clock.

Floor Leader Nakatsukasa: Do we have anything on the calendar?

Speaker Sablan: We are going to work on the Appropriation.

Floor Leader Nakatsukasa: So move.

Representative Benigno Sablan seconded the motion.

The motion to adjourn the House until Wednesday at 2:00 o'clock, carried by voice vote.

The House adjourned at 5:20 p.m..

Respectfully Submitted,

  
Daniel O. Quiñigua  
House Clerk

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HOUSE OF REPRESENTATIVES  
FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
SIXTH REGULAR SESSION, 1985

SESSION DAY

CALENDAR DAY

TIME

2nd Day

Tuesday, April 23, 1985

10:00 a.m.  
1:55 P.M.

*adjourned 5:20*

ORDER OF BUSINESS

- ① Roll Call — CABRERA, T., GUERRERO, T., DEMAPAN, T. GUERRERO P., KILILI.
- ② Adoption of Journal — 6th Day, Fifth Regular Session — *Adopted*
- ③ Introduction of Bills — *Nakatsukasa-1, Torres-1, Hocog-For Juan Pan-1,*
- ④ Introduction of Resolutions — *Demapan, I.-1, FITIAL, B.-1, 127/128*
- ⑤ Messages from the Governor

233  
234  
235

105: *Accepted*  
Informing the House of Representatives that he has signed into law House Bill No. 148, H.D.1, S.D.1, C.D.1, entitled, "To appropriate the balance of \$7,367,000 in FY 1985 capital improvement project local funding and to recognize \$7,367,000 from Covenant CIP funds and \$10,155,167 anticipated FY 1985 CIP federal funding." into Public Law No. 4-40

106: Informing the House of Representatives that he has signed into law House Bill No. 212, S.D.1, entitled, "An Act to reserve the amounts of declared interest from the Marianas Public Land Trust for the provision of Health Services, to amend 4 CMC Section 1803 and for other purposes." into Public Law No. 4-41

⑥ Departmental Communications

⑦ Senate Communications

154: *Accepted 4/23/85 2/3 votes 10 yes*  
Returning House Bill No. 122, Committee Substitute 3, entitled, "A bill for an Act to establish a Commonwealth Utilities Corporation, and for other purposes.", which the Senate passed *INFORMED THE SEN. ON 4/24/85* on Second and Final Reading on April 17, 1985, by two-thirds (2/3) vote of the members, a quorum being present, Fourth Northern Marianas Commonwealth Legislature, Third Regular Session, 1985, in an amended form attached hereto as H.B. No. 122, Committee Substitute 3, S.D.1.

155: *Accepted 4/23/85 2/3 votes 10 yes*  
Returning House Bill No. 136, H.D.1, entitled, "A Bill for an Act, to establish the Commonwealth Economic Development Authority; providing for its purposes, powers and duties, providing for its capitalization and operation; imposing an obligation of regular reporting by the authority; and for other purposes.", which the Senate passed *INFORMED THE SEN. ON 4/24/85* on Second Reading on April 17, 1985, by two-thirds (2/3) vote of the members, a quorum being present, Fourth Northern Marianas Commonwealth Legislature, Third Regular Session, 1985, in an amended form attached hereto as H.B. No. 136, H.D.1, S.D.2.

156: *Place on Bill Cal. 4/23/85*  
Transmitting Senate Bill No. 4-79, entitled, "A Bill for an Act providing for the removal of members of the Board of Directors of the Commonwealth Ports Authority for cause." which the Senate passed on Second and Final Reading on April 17, 1985, by the majority vote of the members, a quorum being present, Fourth Northern Marianas Commonwealth, Legislature, Third Regular Session, 1985.

157: *Accepted 4/23/85*  
Transmitting Senate Joint Resolution No. 4-18, entitled, "A Senate Joint Resolution requesting the United Nations Security Council to postpone termination of the trusteeship agreement for the TTPI until completion of multi-year financial support discussions between the United States and the Northern Mariana Islands.", which the Senate unanimously adopted on April 17, 1985.



8. Petitions, Memorials and Communications

123: From P. Wilfredo Alarilla, Maj. SC, USAR, OIC, USAR Saipan, relative to House Resolution No. 124.

124: From the undersigned, expressing their concerns over the passage of H.B. No. 148, H.D.1, S.D.1, C.D.1, "FY 1985 CIP Appropriation Act."

125: From Janet J. McCoy, High Commissioner responding to House Resolution No. 121, regarding the TT Government employees who are being served with reduction-in-force.

126: From Lorenzo LG Cabrera, Executive Director, transmitting copies of the 1984 Annual Report of the Mariana Islands Housing Authority.

9. Reports of Standing Committees

4-63: Reporting on House Bill No. 117, Committee Substitute 2, entitled, "To prohibit the further importation of motor vehicles with right hand steering wheels; to require signs to be posted on motor vehicles with right hand steering wheels; to amend 9 CMC Sections 1204(c), 2102, 2202(c)(1), 4101(d), 4107, 4108, 5310, 5802, 5810(a), 7105(a), 7106, 7109, 7112, 7114, and 8104; to enact 9 CMC Sections 2213, 4416, 5814, 5821, 5822, 5823, 5824, and 7115; to repeal and reenact 9 CMC Section 2108." (Your Committee on J.G.O. recommends adoption)

4-79: Reporting on House Bill No. 116, Committee Substitute, entitled, "To prohibit each house a lame duck legislature from spending more than one quarter's allotment, and for other purposes." (Your Committee on Appropriation recommends adoption)

4-80: Reporting on House Bill No. 157, Committee Substitute 2, entitled, "To establish a Northern Marianas Amateur Sports Association, to add a new Chapter 4 to 1 CMC, Division 9; and for other purposes." (Your Committee recommends adoption)

4-81: Reporting on House Bill No. 70, Committee Substitute, entitled, "To prohibit the tethering of cattle, goats, pigs or other livestock or domesticated animals within twenty (20) feet of either edge of any public highway, and to amend 9 CMC Section 5802." (Your Committee on J.G.O. recommends adoption)

4-82: Reporting on House Bill No. 63, Committee Substitute, entitled, "To establish a Street Directory Commission and for other purposes." (Your Committee on J.G.O. recommends adoption)

4-83: Reporting on Senate Bill No. 4-61, S.D.2, entitled, "Establishing Financial Disclosure Requirements for Elected and Appointed Public Officials, for certain public employees and for other purposes." (Your Committee on J.G.O recommends adoption with amendment)

4-84: Reporting on House Bill No. 198, entitled, "A Bill for an Act to grant to the Governor powers to establish a system of energy management and conservation when the Governor determines that the Commonwealth of the Northern Mariana Islands is experiencing an energy shortage such that the public health, safety or welfare is endangered." (Your Committee on Appropriation and J.G.O. recommends adoption without amendment)

4-85: Reporting on House Bill No. 228, Committee Substitute, entitled, "To set the fee for alien registration and to appropriate those revenues to a fund for the Inspection and Immigration office, to amend P.L. 3-105, Sections 9 and 24." (Your Committees recommends adoption)

4-86: Reporting on House Bill No. 93, Committee Substitute, entitled, "To add a new Article 2 to Chapter 2, Division 1, Title 4 of the Commonwealth Code, to levy an entry fee on nonresident workers, and for other purposes." (Your Committee on Appropriation recommends adoption)

4-87: Reporting on House Bill No. 128, Committee Substitute, entitled, "To establishing the Zoning Code of the Northern Mariana Islands and for other purposes."

and

House Bill No. 144, Committee Substitute, entitled, "To provide for a Building Code of the Commonwealth of the Northern Mariana Islands and for other purposes." (Your Committee on R&D recommends adoption)

4-88: Reporting on Senate Bill No. 4-54, S.D.2, entitled, "A Bill for an Act to amend the Nonresident Workers Act; Chapter 4 of Division 4 of Title 3 of the Commonwealth Code and the Entry and Deportation Act; P.L. No. 3-105, and for other purposes." (Your Committee on R&D recommends adoption)

4-69: Reporting on House Bill No. 43, Committee Substitute, entitled, "To establish a business license law, to repeal 4 CMC Sections 1503 and 1504, to provide for penalties and for other purposes." (Your Committee on R&D recommends adoption)

10. Reports of Special and Conference Committee

11. Unfinished Business

12. Resolution Calendar

13. Bill Calendar

FOR NEXT SESSION

127, 128, 129  
ADOPTED ADOPTED

First Reading

F&F READING H.B. No. 117, Comm. Subs. 2

"Traffic Code Improvement Act of 1985."  
(S.C.R. No. 4-63)

F&F READING H.B. No. 116, Comm. Subs.

"The Legislative Fiscal Discipline Act of 1985."  
(S.C.R. No. 4-79)

F&F READING H.B. No. 157, Comm. Subs. 2

"Northern Marianas Amateur Sports Association Act."  
(S.C.R. No. 4-80)

F&F READING H.B. No. 70, Comm. Subs.

To prohibit the tethering of Animals."  
(S.C.R. No. 4-81)

F&F READING H.B. No. 63, Comm. Subs.

"Street Directory Act of 1985."  
(S.C.R. No. 4-82)

F&F READING S.B. No. 4-61, SD2, HD1, HD2

"Financial Disclosure Act of 1985."  
(S.C.R. No. 4-83)

F&F READING H.B. No. 198

"Commonwealth Emergency Energy Act of 1985."  
(S.C.R. No. 4-84)

F&F READING H.B. No. 228, Comm. Subs.

"Alien Registration Fee and Fund Act of 1985."  
(S.C.R. No. 4-85)

F&F READING H.B. No. 93, Comm. Subs.

"Nonresident Workers Entry Fee Act."  
(S.C.R. No. 4-86)

F&F READING H.B. No. 128 & 144, Comm. Subs.

"The Zoning Code of the Commonwealth of the Northern Mariana Islands."

F&F READING

and

"Building Code." (S.C.R. No. 4-87)

FIRST READING ONLY S.B. No. 4-54, S.D.2, H.D.1

"Nonresident Workers Amendments Act of 1984."  
(S.C.R. No. 4-88)

F&F READING S.B. 4-79 (SEN. COMM. 156)

"PROVIDING FOR THE REMOVAL OF MEMBERS OF THE BOARD OF DIR., OF THE COMMON PORT AUTHORITY FOR CAUSE."



Second Reading

H.B. 43, Comm. Subs.

"Business License Act of 1985."  
(S.C.R. No. 4-69)

(14) Miscellaneous Business

(15) Announcements

*Colpinner and Annors #24/85, 2:00E*

Speech — 2:10 PM.

Recess — 2:30 PM.

Speech — 2:35 PM.

Recess — 2:55 PM.

Speech — 3:10 PM.

Recess — 4:00 PM.

Speech — 4:20 PM.

Recess — 4:35 PM.

Speech — 5:00 PM.

Recess — 5:10 PM.

~~Speech~~

Speech — 5:20 PM.

2nd Day Journal, 6th Regular Session (4/23/85)

Speaker: The 2nd Day of our 6th Regular Session shall now come to order. Let us all rise for a moment of silent prayer. Roll Call.

The Clerk called the roll. Ten Present, five absent. Representatives Jose Cabrera, Juan Demapan, Juan Guerrero, Pedro Guerrero and Kilili were absent.

Speaker: The quorum is duly constituted for today's session.

#### ADOPTION OF JOURNAL

Floor Leader: I move for the adoption of the 6th Regular Session, 2nd Day Journal.

Lifoifoi seconded the motion.

Speaker: Any comments?

V. Speaker: None.

Floor Leader: Ready.

The motion to adopt the 6th Regular Session, 2nd Day Journal, carried by voice vote.

#### INTRODUCTION OF BILLS

H.B. No. 233:

H.B. No. 234:

H.B. No. 235:

#### INTRODUCTION OF RESOLUTIONS

H.R. No. 126:

I. Demapan: Mr. Speaker by request the organization of officers have requested that on page 2, lines 4, 5 and 6 be deleted.

Speaker: If there is no objection from the members I will like to inform the members that the subject resolution have already been adopted by the House, however, there are some recent development that Rept. Ike Demapan will like to make some changes in the previous version of the resolution and if there is no objection perhaps a better approach will be to allow the Clerk to make those necessary changes.

I. Demapan: Well, I will like to move to suspend Rule 10 Section 7(a) to delete these from the original copy of the House Resolution.

Floor Leader: Privilege. There is a lot of changes in the last resolving and ending clause. It is in order that the Cong. from Susupe reintroduce this because the deletion will change the entire substance from the resolution. If there is no objection, I will like to make a motion to place this on today's calendar. I will move to suspend Rule 9 Section 7, Rule 7 Section 8(a), so that we can place this on today's calendar.

Speaker: I will like to find out if Rept. Demapan have a clean copy of the immediate changes.

I. Demapan: Mr. Speaker I have a clean copy and I have discussed this with Chairman Benigno Sablan and it will save some time if there is no objection from the members, the section that I am talking about that is being deleted does not do any harm to anybody.

Speaker: I still think Floor Leader that maybe the fastest approach is to authorize the Clerk to make those deletions.

Floor Leader: My good Speaker, I am fully aware of that but we have rules to follow. We have to follow the rules for any substantial changes. If it is only a minor changes then I will totally agree to give authorization to the Clerk to make the changes, otherwise if you start this today, then we are going to establish a precedent and from here on we do not have to reintroduce bill, we just authorize the Clerk to make changes. There is no way that we take shortcuts with bills and resolutions because we are acting for the people. I am not against the placing of this resolution in today's calendar, I am only saying that we suspend the rules in order that we can accomodate this and repass it.



I. Demapan: No objection Mr. Speaker.

~~Speaker~~///OKAY///

NOTE: Intro. of Bills

H.B. No. 234: "A BILL FOR AN ACT TO APPROPRIATE THE BALANCE OF \$540,000 IN FY 1985 CAPITAL IMPROVEMENT PROJECTS, TO TRANSFER CERTAIN FUNDING OBLIGATIONS UNDER P.L. 4-28, AND FOR OTHER PURPOSES."

Introduced by: Vicente M. Sablan

H.B. No. 235: "A BILL FOR AN ACT TO APPROPRIATE \$158,000 FROM THE BALANCE OF FY 1985 CAPITAL IMPROVEMENT PROJECT FUNDS TO COMPLETE PHASE I OF THE MULTI-PURPOSE GYMNASIUM."

Introduced by: Juan S. Torres and four others

Assigned to : Appro. Comm.

H.B. No. 233: "A BILL FOR AN ACT TO AUTOMATICALLY APPROPRIATE FOR DEFICIT SYSTEM REDUCTION ALL DEOBLIGATED AND LAPSED FUNDS AFTER THE END OF THE FISCAL YEAR IN WHICH THEY WERE APPROPRIATED."

Introduced by: Juan T. Guerrero

Assigned to : Appro. Comm.

Speaker: Okay, why don't we have copies made and distribute it to the members and we will go ahead and place that on today's calendar.

H.R. No. 128: "A HOUSE RESOLUTION EXTENDING THE WARMEST CONGRATULATIONS OF THE HOUSE OF REPRESENTATIVES TO ALL THE DELEGATES ELECT TO THE SECOND CONSTITUTIONAL CONVENTION OF THE CNMI UPON THEIR ELECTION."

Introduced by: Fitial

Speaker: Do you wish to place that on today's calendar?

Fitial: Yes.

H.R. No. 129: "A HOUSE RESOLUTION REQUESTING THE GOVERNOR TO IMPLEMENT ADMINISTRATIVE PROCEDURES REQUIRING SEPARATE LINES FOR CUSTOMS AND IMMIGRATION AT THE COMMONWEALTH AIRPORTS FOR RETURNING RESIDENTS."

Introduced by: Victor B. Hocog and six others

Hocog: I also ask the Speaker to consider this resolution to being place on today's calendar.

Speaker: If there is no objection from the members, the resolution just introduced by Chairman Hocog will be place on today's calendar.

#### MESSAGES FROM THE GOVERNOR

105:

Speaker: Message No. 105, this is FY'85 Capital Improvement Act, H.B. No. 148 and was signed into P.L. 4-40. There are item vetostotaling the amount of \$540,000. For the members information, the Floor Leader has just introduced on today's session a bill that will appropriate the amount vetoed by the Governor. It essentially addresses the Governor's concern for those CIP considered under P.L. 4-28 and also it is a request for an additional \$168,000 for the Agatt and Kagman water equipment processor. Any comments from the members?

B. Sablan: Mr. Speaker I just want to know for information purposes whether our good Floor Leader placed this on today's calendar, the bill that was just introduced.

Floor Leader: It is up to the Speaker to brief the members in order to have the bill be place on today's calendar.

Speaker: If there is no objection from the members, I will like to expedite the passage of that measure. When we come down to the Bill Calendar, perhaps at that time the motion will be order to have it place on the calendar and then we can suspend the necessary rules.

B. Sablan: Thank you.

Hocog: Point of information Mr. Speaker.

Speaker: Yes Chairman Hocog.

Hocog: P.L. 4-28, the appropriation I believe has already been expended.

Speaker: 4-28?

Hocog: Yes.

Speaker: The Floor Leader has a copy of the Governor's recent letter which expresses his concern about those CIP items under 4-28.

Floor Leader: Mr. Speaker can you brief the members regarding the reason behind this.

Speaker: The letter from the Governor indicated that with the exception of the \$100,000 appropriated under 4-28 for the Operation and Maintenance of our sewer system, that item along is considered to be Operation and the others are considered to be CIP items. To insure those CIP items which the Governor have considered under P.L. 4-28 are accomodated, we have reintroduced an appropriation act that will basically repeal those items under P.L. 4-28 and place it under this new appropriation bill just introduced. Mr. Floor Leader can you have the copy of the Governor's letter be xeroxed and distributed to all the members.

Floor Leader: I move for five minutes recess.

Speaker: Let us have a five minutes recess.

The House recessed at 2:10 p.m..

The House reconvened at 2:30 p.m..

Speaker: The session shall now reconvene. Prior to recess we were under item 5 of our agenda.

106:

Speaker: Any comments?

#### DEPARTMENTAL COMMUNICATIONS

None

#### SENATE COMMUNICATIONS

154:

Speaker: Senate Comm. No. 154 pertaining to H.B. No. 122, the Utility Corp. Act which the Senate had returned with amendments. I will like to inform the members that if we are to accept this amendment it will require two-thirds of the members present. Floor Leader will you like to effectuate a motion to accept the Senate amendments.

Floor Leader: So move Mr. Speaker.

Fitial seconded the motion.

Speaker: Discussion.

Floor Leader: Ready.

Speaker: I will like the Clerk to call the roll.

The Clerk called the roll for the motion to accept the Senate amendment on H.B. No. 122, Senate Communication No. 154. The voting result, ten voting yes. H.B. No. 122, Senate Communication No. 154 is hereby accepted with the Senate amendments.

155:

Speaker: Comm. No. 155 requires the same two-thirds vote. Floor Leader will you like to effectuate a motion?

Floor Leader: So move.

There were several seconds to the motion.

Speaker: Discussion.

Hocog: Ready.



Speaker: Again I will like to emphasize the importance of this legislation.

Torres: Mr. Speaker I will like to request that we refer this communication to the R & D Comm. for further deliberation because there are some major changes here that needs to be address.

Speaker: This has been reviewed Cong. Torres. I believe that even during the time the bill was seating at the Senate it has been coordinated.

Torres: Yes, but it has not gone through the committee process.

Fitial: Mr. Speaker, to prevent any jeopardy in passage of this bill we ought to listen to Cong. Torres' suggestion.

Speaker: Do you have any major concern Cong. Torres.

Torres: I think we are rushing this. It is a very important legislation and if we rush this, I do not want to make a mistake, that is why I suggest that we refer this to the appropriate committee so that the entire committee will go over it and address whatever the Senate had amended.

Fitial: Mr. Speaker I am in full support of this bill and I really hate to see this bill ~~see this bill~~ repeal so I am suggesting that we follow Cong. Torres' suggestion.

Lifoifoi: I am in full support of the bill Mr. Speaker, but I am interested in satisfying the concern of Cong. Torres, the amendment.

Speaker: The amended version, most of these are the suggestions of the attorneys that were sent here by the Interior Dept.

Torres: Mr. Speaker, I will like to bring out on a piece of legislation that we acted recently which concern most of our bond issues and that bill, I think in Section 10, nobody knows anything about it and it concern the doing away of the removal of the board.

Speaker: Yes.

Torres: You know I do not want to make the same mistake again.

Speaker: For your information, our legal counsel ~~did review and I did instruct him to make sure everything is in order~~ have reveiued the bill totally to make sure that everything is in order as we have been discussing the bill. I think all the members have a copy of the legal counsel's reviews and findings. The proposed amendments are basically very important to the bill. Why don't we have a short recess.

The House recessed at 2:35

The House reconvened at 2:55

Speaker: The session shall now reconvene. Prior to recess we were discussing ~~see bill~~ Senate Comm. No. 155. There is a motion to accept and we are still discussing the bill and Cong. Torres has raise some concerns. As a result of that we went into recess to discuss his concerns. I helieve that we have reached an understanding during recess. Any further discussion?

Fitial: For the record Mr. Speaker, the concerns raise by Cong. Torres are very valid concern and there was a tentative agreement that the concerns be formulize into an amendment ~~at a later date~~ to be offered at a later date.

Floor Leader: Furthermore, I want the record to show that both the Minority and the Majority are in agreement with Cong. Torres' concern.

Speaker: Thank you. If there is no further discussion, are you ready?

Fitial: Ready.

Speaker: Clerk please call the roll.

The Clerk called the roll for voting purposes on accepting Senate Comm. No. 155, pertaining to H.B. No. 136, H.D. 1. The voting result, ten voting yes. Senate Comm. No. 155 is hereby accepted by the House.

156:

Speaker: Comm. No. 156, this is one of the concern that Rept. Torres brought up earlier with regards to the Ports Authority Bill, S.B. No. 4-68. If there is no objection from the members perhaps maybe we can entertain this measure today.

Hocog: No objection.

Speaker: We will place this on the Bill Calendar Clerk if there is no objection from the members. Please note this on your Bill Calendar.

157:

Speaker: Senate Comm. No. 157 requires the House to take action. Floor Leader will you like to effectuate a motion to adopt this.

Floor Leader: So move Mr. Speaker.

Vice Speaker Tudela seconded the motion.

Speaker: Discussion.

Fitial: Ready.

The motion to adopt Senate Comm. No. 157, pertaining to S.J.R. No. 4-18, carried by voice vote. The House hereby adopts Senate Comm. No. 157.

PETITIONS, MEMORIALS AND COMMUNICATIONS

123:

124:

125:

126:

Speaker: Any comments from Miscellaneous Comm. Nos. 123 to 126.

Fitial: Mr. Speaker if I may, I will like to direct the attention of the members to Miscellaneous Comm. No. 124.

Speaker: This particular communication, I will like to refer this matter to the Appro. Comm. to start looking into it and perhaps to address this concern to the upcoming FY '86 CIP Funding.

Fitial: If I may again Mr. Speaker, perhaps you should ask the Comm. on Appro. to indicate that concern to the organization, if any.

Speaker: Comm. No. 126, I believe that everyone have copies of the MIHA Annual report. For those of you who do not have copies, may check with the Clerk's Office to request for a copy.

Floor Leader: I have a copy but . . . .

Speaker: Senate Comm. No. 126. . . . Floor Leader do you wish to comment?

Floor Leader: I have a question on Comm. No. 125.

Speaker: 125? If you wish to make a comment, go ahead Floor Leader.

Floor Leader: Mr. Sepaker I just want to ask your good office to appoint enough participant for this task force for members in order to address this issue because time is closing on us. Most of these people have been advised that their contract will expire by June, otherwise we will take the necessary step to place these individuals in a private or government agency. We should address ourselves at this point in time in order that when June comes we are ready to advise these individuals as to what is their future regarding their employment.

Speaker: Rather than setting up a task force, I will like the J.G.O. Comm. to follow up with Resolution No. 121 which we have adopted, to follow up with the Executive Branch as to what are their plans in terms of accomodating those CNMI citizens that will be affected with the close down of the T.T. operation here in the Commonwealth.

Torres: I am in support of that resolution, knowing that we are under the continuing resolution, I just wonder where we are going to get the money to pay these people to work with the CNMI Government. We have not identified any resources, therefore how would the Governor face these people. I think the legislature is responsible to come up with the necessary appropriation for these people. We cannot put the burden on the government. He doesn't have the funds to hire.



Speaker: The committee can look into this and find out position vacancies that are available in the government. Every week I receive position vacancy notice from various departments in the government.

Fitial: For your information, those position vacancies are no longer vacant.

Floor Leader: Mr. Speaker, at this point in time I know that the Office of the Public Auditor is in surplus of ~~accountants~~ funding. I wonder if the Speaker can get together with the Governor and perhaps request for the Director of Finance to identify some of the surplus.

Speaker: I think there is a need for us to follow up with the T.T. Headquarters in terms of the numbers of individuals who are affected by the reduction-in-force, then we can take that information and try to look into the government that would match their experience and their expertise.

Hocog: Mr. Speaker would it be appropriate for the Speaker to get all those statistics and perhaps the Speaker can write a letter to the Governor to freeze hiring at this point in time for these individuals who are effected as a result of the Trust Territory Government seizing. From there on maybe we can see if the people who are affected can be place within our CNMI Government.

Speaker: Can we get the J.G.O. Committee to formulate something Mr. Chairman?

B. Sablan: Yes, we will Mr. Speaker.

#### REPORTS OF STANDING COMMITTEES

4-63:

Speaker: We have a lengthy report, unless you have any comments I believe we should proceed on to our next item of our agenda.

4-79:

4-80:

4-81:

4-82:

4-83:

4-84:

4-85:

4-86:

4-87:

4-88:

4-89:

Fitial: No comments, please proceed.

#### REPORTS OF SPECIAL AND CONFERENCE COMMITTEE

None

#### UNFINISHED BUSINESS

None

#### RESOLUTION CALENDAR

H.R. No. 127:

Floor Leader: Mr. Speaker I move for the adoption of H.R. No. 127.

Hocog seconded the motion.

Speaker: Discussion.

Hocog: REady.

The motion to adopt H.R. No. 127, carried by voice vote. H.R. No. 127 is hereby adopted by the House.

H.R. No. 128:

Floor Leader: Mr. Speaker, with a minor amendment I hope that the original author might perhaps include those individuals that ran for this Con-Con Office and did not win. We should include the names of these people also.

Speaker: Can we entertain this resolution tomorrow so that we can have the full text of the resolution.

Floor Leader: Mr. Speaker, I figured out that my request is not in compliance so I move for the adoption of the resolution.

Vice Speaker seconded the motion.

Speaker: We do not have the legislation, only the text. This is just for the purpose of the introduction so that tomorrow may be we can have the full page of the resolution, if there is no objection from the members.

Vice Speaker: No objection.

Speaker: We can prepare the resolution for tomorrow. Any further resolution on the calendar?

Clerk: Yes.

H.R. No. 129:

Floor Leader: Mr. Speaker I move for the adoption of H.R. No. 129.

Fitial seconded the motion.

Speaker: Discussion.

Hocog: REady.

The motion to adopt H.R. No. 129, carried by voice vote. H.R. No. 129 is hereby adopted by the House.

#### BILL CALENDAR

H.B. No. 117, Comm. Subs. 2:

Floor Leader: I move for the passage of H.B. No. 117, Comm. Subs. 2, First and Final Reading.

Speaker: Do you want this bill to be pass on First and Final Reading?

Floor Leader: Mr. Speaker, if there is no objection, I will like to make a motion that we pass H.B. Nos. 117 to H.B. 128, simultaneously.

Speaker: We need to go through the bills one by one Mr. Floor Leader. Those bills that you want to pass First and Final Reading, we need to suspend Rule 9 Section 8.

Floor Leader: Mr. Speaker in order to have the following bills pass their First and Final Reading, I move that we suspend Rule 9 Section 8 so that we can place all these bills in the First and Final Reading today.

There were several seconds to the motion.

Sepaker: All the bills?

Floor Leader: All the bills.

Speaker: Discussion on the motion.

B. Sablan: Ready.

The motion to suspend Rule 9 Section 8 so that H.B. No. 117, Comm. Subs 2, H.B. No. 116, Comm. Subs., H.B. No. 157, Comm. Subs. 2, H.B. No. 70, Comm. Subs., H.B. No. 63, Comm. Subs., S.B. No. 4-61, S.D. 2, H.D. 1, H.D.2, H.B. No. 198, H.B. No. 228, Comm. Subs., H.B. No. 93, Comm. Subs., and H.B. No. 144, Comm. Subs., be pass on First and Final Reading, carried by voice vote.



Floor Leader: Mr. Speaker I move for the passage of H.B. No. 117, Comm. Subs 2, on its First and Final Reading.

B. Sablan seconded the motion.

Speaker: Discussion.

F. Cabrera: Ready.

Fitial: There is a concern Mr. Speaker. Is it possible to require the bill not only for maximum speed limit, but also for minimum. We should not only penalize those operators for traveling beyond the speed limit but also those operators who are injuring or impeding travel especially if they are just doing it for the fun of it.

Speaker: Chairman Sablan do you wish to comment.

B. Sablan: Yes, I have the same feeling but I think that this one is very important that we get this out of the way. I think the DPS should have this Traffic Code now to implement those that are not included in the ~~T?T??C88d?~~ CMC Code. The concern may very well be made into another amendment to this one. We could make that in a very simple way, one page amendment. Let us get this pass and we will continue to work on the amendments for the Traffic Code. I hope my colleague will agree to that so that we can get this going.

Fitial: Yes. Let me continue. Mr. Speaker, I also have another concern, after we met that day, the last committee meeting, was there anything done to rectify the solid line on the middle road?

B. Sablan: If I remember correctly, we authorized Public Works to come into the picture when there is work on highways.

Speaker: Yes, that is one place the people are raising some concern, the solid line . . . .

Fitial: According to standard traffic, the rules and regulations from the Monument all the way to Tanapag right now because of the solid line, passing is prohibited.

B. Sablan: Not all the way to Tanapag. As a matter of fact, I think they ran out of paint. What we are talking about is No. 4 on page 11. Section 25 says "approve to design a highway location as proposed by the Dept. of Public Works." The concern we addressed will get this people in to participate in the actual planning of our highways signs.

Speaker: Can the Chairman follow up with Public Works immediately?

B. Sablan: Yes.

Torres: Mr. Speaker I just heard from a reliable source that the Governor and Public Works has come together to rectify the concern raise by Cong. Fitial.

Speaker: So it seems like they are aware of the problems.

Fitial: My concern was whether this bill accomodates the heading together of Public Works and the Governor.

Speaker: Any other concern?

B. Sablan: Just for information again on Section 27 line Item E, we have decided that a moped may not be operated on any highway from 6 p.m., to 6 a.m.. We do not allow them at night. That is a drastic change in this.

Fitial: Mr. Speaker this bill has a lot of teeth that some of us are not aware of.

B. Sablan: This bill prohibits now children in the back of a pick up truck that does not have, only fourteen years and adult are permitted in there. It does not mean to say that if a fourteen year old person is there that other children below fourteen are allow in there. That is not the language of the law. The language of the law says that only adults from fourteen years can sit in the back of the truck without supervision. Anybody who is not fourteen years old and who is not adult would be illegal to sit at the back of the truck. I think right now we have instead of six we proposed ten people, no more than ten. They cannot overload. I think at a later date we will look at the Boating and Safety Act and we will do the same thing, really put teeth on the law. Like my good colleague Fitial has stated, this bill really has a lot of good teeth that will hopefully reduce the number of traffic accidents, number of fatalities, personal injuries, bodily damage.

Fitial: And more importantly Mr. Speaker it will generate revenue.

B. Sablan: We can have now personalize license plates. It will cost you \$50.00 initially and \$25.00 afterwards.

Speaker: It will cost the vehicle operator twice as much as the regular . . . .

B. Sablan: Yes, unpersonalized license plates.

Speaker: Any further discussion?

B. Sablan: I think we are ready for the question.

The Clerk called the roll for voting purposes on H.B. No. 117, Comm. Subs. 2. The voting result, ten voting yes. H.B. No. 117, Comm. Subs 2 is hereby passed by the House on its First and Final Reading.

H.B. No. 116, Comm. Subs:

Floor Leader: Mr. Speaker I move for the passage of H.B. No. 116, Comm. Subs., First and Final Reading.

Fitial Seconded the motion.

Speaker: Discussion.

Fitial: Ready.

Floor Leader: I just want to know how legal to impose such limitation <sup>from lame duck</sup> that the legislature ~~ends up~~ covering the ~~one~~ term. I feel that the members still have November and December to serve their term and legally under the law you are still a member of the congress. I need to be enlighten on this.

Speaker: Cong. Torres would you like to respond.

Torres: The idea behind this bill is to restrict any ~~ex~~<sup>s</sup>pending authority in the legislature from ~~ex~~<sup>s</sup>pending that allotted in one quarter. For instance you are allotted \$500,000, you cannot go out and ~~ex~~<sup>s</sup>pend \$600,000.

B. Sablan: But can you ~~ex~~<sup>s</sup>pend the one quarter allotment?

Speaker: Yes. Normally the <sup>same duck</sup> ~~length~~ of each legislature <sup>sits</sup> ~~is~~ for one quarter and one week. <sup>maybe</sup>

B. Sablan: But that is not what is prohibited. What is prohibited is to make sure . . . .

Speaker: To ~~expend~~<sup>spend</sup> more than one quarters allocation.

Torres: You see the legislature tends to ~~ex~~<sup>s</sup>pend more than what is allotted. Thereby we are creating difficulty for the incoming members.

B. Sablan: I agree.

Speaker: Does that clarify your concern Floor Leader.

Floor Leader: Yes and under Section 4 (c), "all ~~legislative~~ members of the legislature shall limit their budget ~~of personal~~ and surplus from personal purposes of their respective offices."

Speaker: This will prevent you from over spending the one quarter allotment because if you know that you are lame duck and you hire more than the current number of employees on October 1, then you are likely to over spend your first quarter allotment.

Floor Leader: Okay, but if you read this section carefully Mr. Speaker, all members of the legislature shall limit employment of personnel for operational purposes. This does not mean that it does not involve money. We are only talking about manpower. As long as you are within your personal budget I do not think, irregardless of whether you hire 100 staff, as long as you are within your operational budget. Does this preclude you from hiring more than five if your money permits you to hire ten.

Hocog: Mr. Speaker, I think Subsection (c) is saying that any incumbent shall not hire any additional employee during your time of the first quarter.

Fitial: During your lame duck (Laughter)



Torres: The intent is that as long as you do not spend more than what you have . . . .

Floor Leader: The way I interpret this bill, we are only limited to manpower and not funding, it says "it shall limit employment."

Speaker: Yes, this is to prevent the lame duck legislature from hiring freely for a short period of time.

Floor Leader: Mr. Speaker you cannot prohibit any lame duck as long as there is still funds. That will be unconstitutional. As long as you are still in office nobody can stop you irregardless of whether you lose the election or won the election or choose not to run. Your term of office is up on the following January 9th. The bill itself is very good. My only concern is that if you are within your budget limit and you cannot hire plenty, you have to limit only five, this is my concern here.

Speaker: I think the key section of the bill is Section 3, as long as you do not exit your spending authority for first quarter allotment.

Hocog: I do not see any reason myself Mr. Speaker to hire any additional employment.

Speaker: That is correct.

Hocog: If my current employees are still on board, I do not see any reason why I should hire any new employees.

Fitial: If you are already lame duck.

Hocog: Yes, if you are already lame duck.

Floor Leader: Mr. Speaker, let us fool ourselves. There are times when we should accomodate some of your patronage supporters. We should address ourselves from there, or otherwise I move for the previous question.

Speaker: Ready?

Hocog: Ready.

The Clerk called the roll for voting purposes on H.B. No. 116, Comm. Subs. The voting result, ten voting yes. H.B. No. 116, Comm. Subs, is hereby passed by the House on its First and Final Reading.

H.B. No. 157, Comm. Subs. 2:

Floor Leader: I move for the passage of H.B. No. 157, Comm Subs., First and Final Reading.

Vice Speaker seconded the motion.

Speaker: Discussion.

Hocog: Ready.

The Clerk called the roll for voting purposes on H.B. No. 157, Comm. Subs. The voting result, ten voting yes. H.B. No. 157, Comm. Subs, is hereby passed by the House on its First and Final Reading.

H.B. No. 70, Comm. Subs:

Floor Leader: I move for the passage of H.B. No. 70, Comm. Subs., First and Final Reading.

Speaker: Discussion.

Fitial: Ready.

B. Sablan: Mr. Speaker, can we give time to those farmers who pasture their cows and goats next to the road, a couple of weeks extensive educational, I notice that in my precinct (laughter) there seems to be a lot. I have to go out and talk to these people and make sure that they understand this law.

Floor Leader: I will assure my good colleague that I will personally write a letter to the Attorney General and make sure that they promulgate this law as soon as we pass it.

B. Sablan: You are challenging my statement Floor Leader. (Laughter)

Speaker: You are going to write to request the Attorney General to exclude. . . .

Floor Leader: To promulgate this law prohibiting the tethering of animals.

B. Sablan: Ready Mr. Speaker.

The Clerk called the roll for voting purposes on H.B. No. 70, Comm. Subs..  
~~The bill is~~ The voting result, seven yes and three voting no. H.B. No. 70,  
Comm. Subs, hereby passes the House on its First and Final Reading.

H.B. No. 63, Comm. Subs.:

Floor Leader: I move for the passage of H.B. No. 63, Comm. Subs., First and Final Reading.

There were several second to the motion.

Speaker: Discussion.

Lifoifoi: Ready.

B. Sablan: Mr. Speaker, I want to stress on the Street Directory Act. The villages particularly like San Jose or Tanapag or San Roque, the streets ~~should be named~~ to be name, we would use the names of the older people who passed away in our village and should be given that priority. I hope that this communication will be taken seriously so that in the county, Tanapag, I do not see "Charlie Brown's" name on our highway. I want to see the name of "Tun Juan Pua," or somebody who serves the village well. I want to see those names in our street.

Speaker: I think the bill provides for a public hearing before streets are name.

Floor Leader: Mr. Speaker it is very clear that names to be pick should reflect the local culture and heritage.

B. Sablan: I am just reemphasizing Mr. Speaker.

Hocog: Can we make it clear Mr. Speaker that we only name the streets after a decease person.

Speaker: The bill provides for that.

Hocog: ~~Section 5(c)~~ This bill prohibits us to name a road after a person who is still alive.

Speaker: Yes, and there is a good reason for that. The person might be good today but tomorrow he might be something else. (Laughter) One wrong doing and that will destroy the whole thing.

Hocog: Yes but after all the contribution that he has made in the community.

Speaker: Yes, but one wrong doing and there it goes out the window.

Fitial: One thing may be good for the chamorro but seriously may not be very good for the carolinian. The carolinian, this is against their custom to bring back the name of the dead. I know this bill will only benefit the chamorros.

Speaker: But it could be culture because it allows for culture heritage.

Fitial: When a carolinian dies everything that he owns or she owns goes with the dead.

B. Sablan: But you see my good colleague, customs are changing and they continually change so eventually this will also serve the carolinians.

Speaker: The bill also provides for flexibility in regards to culture and heritage.

Fitial: I was just pointing the carolinian custom because it is still very much alive.

Speaker: Further discussion?

Fitial: Ready.

The Clerk called the roll for voting purposes on H.B. No. 63, Comm. Subs., The voting result, ten voting yes. H.B. No. 63, Comm. Subs., hereby passes the House on its First and Final Reading.



S.B. No. 4-61, S.D. 2, H.D. 1:

Floor Leader: I move for the passage of S.B. No. 4-61, S.D. 2, H.D. 1, First and Final Reading.

Vice Speaker seconded the motion.

Speaker: Discussion.

Fitial: This is a requirement that is presently practice for all elected officials under the election law.

Speaker: No that is only limited to election expenditure, campaign expenditure, but this has something to do with disclosing your financial assets, your financial condition as a public official.

Fitial: For some of us, without the campaign we will not have any financial disclosure.

Floor Leader: Mr. Speaker the term public official is very broad. Any government employee could be consider a public official unless we come with an actual definition as to who are this public official.

Speaker: These are elected officials.

Floor Leader: Public officials, there are some more provisions which inject the members of board and official. These are public officials.

Speaker: And also appointed officials.

Floor Leader: Yes they are appointed officials, but what about like the Board of MPLC, they are the board that requires . . . .

Speaker: That is correct. It is all cover in this bill, Section 4 and 5.

B. Sablan: This committee report should have come out of my office. I do not know how it is routed. I have not seen this and I have not sanctioned it out of my office calendar. I do not know how it got out here.

Speaker: You were off-island I think.

Fitial: This was routed by a member of your staff upon the instruction of the legal counsel, Bergsma.

Speaker: I think this is one of the bill that you have instructed the legal counsel to refine.

B. Sablan: Yes but it should come back to my office.

Speaker: Unfortunately during that time you were in Guam for the APIL.

B. Sablan: I just want to point out the unusual route of such report.

Speaker: I think the original copy is still available if you want to put your signature.

B. Sablan: Thank you.

Hocog: Mr. Speaker in the event that any elected official do not have anything to disclose.

Speaker: He will disclose zero. We are required to disclose whether the amount is zero or one penny.

Floor Leader: Can I bring your attention to the heading? "A Bill for an act to establish financial requirements for elected and appointed public officials, for certain public employees and for other purposes."

Speaker: Section 5 of the bill covers "for certain public employees", page 1.

Floor Leader: Did we address ourselves Mr. Speaker to the departments whether they should disclose their financial standings? I do not think that it is fair for us to crucify Marianas Public Land Corporation and EDLF because that is where the money is. We should look into a broader sense.

B. Sablan: There are several others in here, not only MPLC.

Floor Leader: Well, Commerce and Labor, Immigration. Mr. Speaker, my argument at this point in time I should put it this way that rather than putting Immigration I rather that we put in a provision that we should not authorize them to hire any alien labors because that is where the papers for alien labors are being processed. If we are concern about corruptions even a janitor and even the employees at Public Works, there are time when we give them beer to drink while they are performing public services. If this is our intention then we should really be honest to ourselves. We should not crucify immigration because at times we hear news that one Korean guy tries to bribe some Immigration Officer \$300.00, or the Labor Depart. I believe that we should exclude these two departments Mr. Speaker. The recruiting of alien labors is where the conflict exist. Now, if we are concern about money under the table, let us not fool ourselves, even the janitor at Public Works get this bribe. I move Mr. Speaker that we strike out Immigrations and Labor and Commerce.

Fitial: Before any motion can be effected I will like to bring out a point also. I am in support of Section 3 and 4 and I am only partially in support of Section 5. I do not think that it is fair to require all the employees. You know some of these employecs are Civil Service Employees and they have the Civil Service system, their rules and regulations to govern their contract of employment. I just feel that this is rather too much, SEction 5. It is asking too much of the employees of this respective agents of government. Perhaps the top employees or those employees who are holding responsible positions in these respective agencies should be subjected to this requirement, but not all employees. Especially when you look at Section 6, the context of the statement, some of these employees may find it rather difficult to fulfill or meet these requirements. We have to consider the employees involved and the complexity of the financial statement that this law will be requiring.

Speaker: If you look at Section 8 of the bill that requires the Public Auditor to make the rules and regulations and the necessary forms to be fill in.

Floor Leader: Mr. Speaker, experience will tell us that under the Third Legislature they passed a bill regarding alien labor. Under that bill they authorize the Director of Commerce and Labor to promulgate rules and regulations, up to now there is no rules and regulations pertaining to labor matter has been promulgated. Are we going to continue giving this authority to them? We might as well come up with a stature.

Speaker: The bill is for the Public Auditor, Mr. Floor Leader.

Floor Leader: I am referring to Public Auditor. We are giving the Public Auditor the authority to promulgate regulations, for how long. There is not even one public auditor report that has been presented to the legislature. Which is more important, to promulgate this kind of bill or audit the accountability of the government agency. I am not emotional this afternoon Mr. Speaker, but I think we should come out with the proper rules and procedures. Let us be fair. I am against those guys who are known crook.

Speaker: Let us have a short recess Mr. Floor Leader.

The House recessed at 3:50

The HOUSE reconvened at 4:00

Speaker: The session shall now reconvene, prior to recess we were discussing S.B. No. 4-61, S.D.2, H.D. 1. Prior to recess the discussion the concern was raise on the requirement of the legislation. I believe that the floor amendment is ready and will be offered by Chairman Ben Sablan.

Fitial: Before the amendment is offered Mr. Speaker, I will like to point out the discrepancy of the floor amendment. I think the word "employees" should be deleted instead of the word "or".

Speaker: No, after the word "or" insert "directors" and cross out the word "employees".

Fitial: Sorry. I stand always to be corrected.

Speaker: You may proceed Chairman Ben.



B. Sablan: I have for you the amendment, if you take a look at page 1, line 21, on Section 5, after the word "All" insert "directors, deputy directors and chiefs" and continue the rest.

Speaker: Strike the word "employees"?

B. Sablan: Yes, strike the word "employees."

Hocog seconded the motion for the adoption of the floor amendment to S.B. No. 4-61, S.D. 2, H.D. 1.

Speaker: Discussion.

Fitial: I think we have a concensus.

The motion to adopt the proposed floor amendment as offered by Rep. Ben M. Sablan, carried by voice vote.

Speaker: We will now discuss S.B. No. 4-61, S.D.2, H.D. 2.

Floor Leader: Mr. Speaker, on Section 8 is it necessary that the Public Auditor promulgate the regulations?

Speaker: I think the most appropriate agency will be the Public Auditor.

Floor Leader: Can you enlighten me on the language "Public Auditor may promulgate". Is it true that if he does not want to promulgate then it is up to him. Right?

Speaker: It may sound permissive Mr. Floor Leader, but . . . .

Floor Leader: We should put the word "shall" because this is questionable. If he has plans to promulgate he will promulgate, if he doesn't then he will not.

Fitial: I think our Floor Leader has a very strong and valid point.

Floor Leader: Shall we put the word "shall" Mr. Speaker?

Speaker: Do you want to offer that in the form of an amendment?

Floor Leader: So move.

Speaker: Why don't we just reach a concensus to change the word "may" on line 22, page 2, to "shall".

B. Sablan: Yes, I think that will be fine.

Speaker: Is there any objection from the members?

Fitial: You got my support.

B. Sablan: No objection.

Speaker: If there is no objection, the word "may" shall be change to "shall". Further discussion on the bill?

B. Sablan: Ready.

The Clerk called the roll for voting purposes on S.B. No. 4-61, S.D. 2, H.D. 2. The voting result, ten voting yes. S.B. No. 4-61, S.D. 2, H.D. 2, hereby passes the House on its ~~final/reading~~ First and Final Reading.

H.B. No. 198:

Floor Leader: I move for the passage of H.B. No. 198, First and Final Reading.

There were several second to the motion.

Speaker: Discussion.

Vice Speaker: None.

The Clerk called the roll for voting purposes on H.B. No. 198. The Voting result, ten voting yes. H.B. No. 198 hereby passes the HOuse on its First and Final Reading.

H.B. No. 228, Comm. Subs.:

Floor Leader: I move for the passage of H.B. No. 228, Comm Subs., First and Final Reading.

Vice Speaker seconded the motion.

Speaker: Discussion.

Vice Speaker: Ready.

The Clerk called the roll for voting purposes on H.B. No. 228, Comm. Subs.. The voting result, nine voting and one voting present. H.B. No. 228, Comm. Subs., hereby passes the House on its First and Final Reading.

H.B. No. 93, Comm. Subs.;

Floor Leader: I move for the passage of H.B. No. 93, Comm. Subs., First and Final Reading.

Vice Speaker seconded the motion.

Speaker: Discussion.

F. Cabrera: Ready.

The Clerk called the roll for voting purposes on H.B. No. 93, Comm. Subs.. The voting result, ten voting yes. H.B. No. 93, Comm. Subs, hereby passes the House on its First and Final Reading.

H.B. No. 128 & 144, Comm. Subs.:

Floor Leader: I move for the passage of H.B. No. 128 & 144, Comm. Subs., First and Final Reading.

B. Sablan seconded the motion.

Speaker: Discussion.

B. Sablan: Ready.

Speaker: Clerk please call the roll for both bills.

~~The Clerk called the roll for voting purposes on H.B. No. 128 & 144, Comm. Subs.~~

Fitial: Can we vote on each bill?

Speaker: Okay.

The Clerk called the roll for voting purposes on H.B. NO. 128, Comm. Subs. The voting result, five voting yes, two voting no and three voting present. H.B. No. 128, Comm. Subs., passes the House on its First and Final Reading.

The Clerk called the roll for voting purposes on H.B. No. 144, Comm. Subs. The voting result, eight voting yes and two voting present. H.B. No. 144, Comm. Subs. hereby passes the House on its First and Final Reading.

S.B. No. 4-54, S.D. 2, H.D. 1:

Speaker: I will like to go on record Mr. Floor Leader that we reached a concensus to go on First Reading only for this bill.

Torres: This is not the bill Mr. Speaker.

Speaker: Okay.

Floor Leader: I move for the passage of S.B. No. 4-54, S.D. 2, H.D. 1, First and Final Reading.

Hocog seconded the motion.

Speaker: Discussion.

Fitial: Ready.



B. Sablan: For your information, this was H.B. No. 180 merged with S.B. No. 54. Now we will no longer have H.B. No. 180. The double line in the bill is the House amendment and the single line is the Senate's.

F. Cabrera: Ready.

Torres: Mr. Speaker, I think this is the bill that we agreed upon to have it read on First Reading only.

Speaker: Let us have a short recess.

The House recessed at 4:20

The House reconvened at 4:35

Speaker: The session shall now reconvene. Prior to recess we were on S.B. No. 4-54, S.D. 2, H.D. 1.

Floor Leader: I will like to make a motion to withdraw my previous motion to place this on today's calendar for its First and Final Reading.

Speaker: To withdraw?

Floor Leader: Withdraw. I will like to reinstate another motion to place this bill on First Reading only.

There were several seconds to the motion.

Speaker: Discussion.

Fitial: Mr. Speaker if I may, before the Second Reading I will like to request that Section 10(b) of Section 1, we review and possibly change to restrict the non-resident workers from ~~temporarily~~ getting temporary jobs.

B. Sablan: What page?

Fitial: Page 12, line 14 all the way down. Mr. Speaker we are encountering problems respecting the continuation of non-resident workers who are engaged in some grievances or cases in the court and the Labor Division have been granting temporary working office section, which is only supposed to be valid for 30 days, yet they have been under this authorization for more than a year, some two years and it is getting to the point where temporary is no longer an issue. I will respect the request that this particular concern be reviewed and analyzed so that we should prevent the extension of temporary working authorization to be no longer than 30 days.

Speaker: In other words to limit to 30 days?

Fitial: No longer than 30 days.

B. Sablan: Mr. Speaker the present practice of the Commerce and Labor is to have a temporary working permit or work authorization for 30 days and that upon the termination of the 30 days, they can reapply again so they go on a month to month basis. How do you propose to eliminate that loophole.

Fitial: The problem with this MR. Speaker, our Labor Division is ~~uphold/hold/because~~ at fall here most of the time because some cases that should be adjudicated by the Labor Division are not done. That pushes the temporary further, more than 30 days. The committee should study this and come out with a solution. Another concern Mr. Speaker is that when this agreed employees are granted temporary working permit, the temporary working permit should be limited to the classification of jobs for which they are classified originally. We do not want to see live-in maids operating the cashier or whatever.

B. Sablan: May I ask my good colleague to point the other section in this bill because my good Chairman in R & D is not here and I have to act on it.

Speaker: I believe the Chairman of R & D will be back tomorrow.

Floor Leader: I notice that there are some provisions that are not accurate on this bill. For example, there is no provision in here that if a run away contract employee that we must give him a temporary working permit. If something happen and this employee dies, who will bear the cost to take or send the dead body to the Philippines.

Fitial: Under the present law Mr. Speaker, if I may. . . .

Floor Leader: Yes, but it is fair to let the original employer take the burden because the alien labor was the one that ran away to a new employer. Under this

legally the contract was retain by the original employer.

B. Sablan: No more transfers according to this bill.

Floor Leader: No . . . .

Fitial: The concern from the Floor Leader is accomodated on page 13, line 4. The temporary employer will then assume the responsibility.

Floor Leader: "complaint by the chief", are we referring to the Fire Chief or some other chief? (Laughter)

B. Sablan: There is a definition already on the "Chief", the Chief of Labor.

Floor Leader: This might sound funny, but when the case comes up they will look into this.

Fitial: If you take a closer look in that concern you will see that they strike out "the Division of Labor". This is because if they put the Division of Labor then this becomes redundant.

B. Sablan: That is the reason why they struck this out. It has been defined on page 2.

Floor Leader: But the law, it doesn't matter whether it is redundant, we have to prove the language and the provisions.

Fitial: Sometimes redundancy is needed for clarity. (Laughter)  
Ready for the First Reading question.

Speaker: At any rate, those concerns will address before the Second Reading.

Floor Leader: Mr. Speaker I know this is not very nice for me to ask my colleagues, but this is the occassion to discuss the bill. I notice that on the Committee Report, Cong. Lifoifoi is asking for some investigation.

Speaker: No, Cong. Lifoifoi is a member of the R & D.

Lifoifoi: Mr. Speaker, I understand that this bill will be read First Reading and then back the original jurisdiction, the R & D Committee.

B. Sablan: That is why I am not opposing on the First Reading Mr. Speaker.

Hocog: Then Rep. Lifoifoi will sign the Committee Report without reservation.

Speaker: On Second Reading.

Fitial: Ready for the question.

The motion to pass S.B. No. 4-54, S.D. 1, H.D. 1, First Reading, carried by voice vote.

Floor Leader: Mr. Speaker I move that we adjourn until tomorrow at 9:00 a.m..

Fitial seconded the motion.

Speaker: We have two more bills.

Fitial: We have two more bills.

Speaker: Otherwise I will not take you guys out for a drink.

Fitial: In that case I withdraw my second.

Floor Leader: I withdraw my motion.

S.B. No. 4-79 (Relative to Senate Comm. No. 156):

Speaker: For this particular bill we need to suspend the appropriate rules, Rule 9 Section 7, Rule 7 Section and Rule 9 Section 8.

Floor Leader: So move Mr. Speaker.

Fitial seconded the motion.

Speaker: Okay, the motion is to suspend Rule 9 Section 7, Rule 7 Section 8 and Rule 9 Section 8.



The motion to suspend Rule 9 Section 7, Rule 7 Section 8 and Rule 9 Section 8 so that S.B. No. 4-79 be place on today's calendar for its First and Final Reading, carried by voice vote.

Speaker: You may now effectuate a motion Mr. Floor Leader to have this bill pass on First and Final Reading.

Floor Leader: So move.

There were several seconds to the motion.

Speaker: Discussion.

Fitial: Ready.

The Clerk called the roll for voting purposes on S.B. 4-79, pertaining to Senate Communication No. 156. The voting result, ten voting yes. S.B. No. 4-79 is hereby passed by the House on its First and Final Reading.

#### Second Reading

H.B. No. 43, Comm. Subs.:

Hocog: Before we act on H.B. No. 43, on behalf of my good colleague Rept. Juan T. Guerrero, I will like to ask the rest of the members to endorse the floor amendment offered by my good colleague.

Speaker: We will get to that during the discussion of the bill.

Floor Leader: I move for the passage of H.B. No. 43, Comm. Subs., Second and Final Reading.

There were several seconds to the motion.

Speaker: Discussion. I believe that there are two proposed amendments to be offered, one is from Rept. Juan T. Guerrero, who has asked the Rept from Rota to offer the amendment on his behalf. Also Chairman Ben Sablan have a proposed floor amendment.

Hocog: On page 6, line 24 insert the following language:  
"These classifications are solely for the purpose of establishing license fees, they are not intended to change tax classifications as established in 4 CMC Sections 1303 and 1304."

Speaker: How about the rest of the proposed floor amendments.

B. Sablan: May I offer also my floor amendment.

Speaker: Can we entertain the proposed floor amendment offered by Rept. Juan T. Guerrero and then we will to yours. Chairman Hocog there are two proposed floor amendments, one is the one that you have just read, and the other one is to change pages 4, 5, and 6. Why don't we put that into one motion as the floor amendment at this time.

Hocog: So move Mr. Speaker.

B. Sablan seconded the motion.

Speaker: Discussion on the proposed floor amendments.

Fitial: Yes, question. Why do we need this language after line 24. I thought the purpose on Section 2, line 3 of page 1 already made that point very clear.

Floor Leader: Mr. Speaker I move that we defer action on this bill. The original intention of the bill I concurred with my signature. I never knew that they were to make the changes regarding licensing. I cannot tolerate to sign this bill with this kind of . . . .

Hocog: Privilege Mr. Speaker. We are not making any changes. We are proposing a floor amendment.

Speaker: We have not decided, We are discussing the floor amendment Mr. Floor Leader. I believe the language of the proposed floor amendment is to make it clear that this has something to do only with business licenses and do not apply to the revenue and taxation of P.L. 3-11.

Fitial: That is on Section 2, "Issuance of Licenses."

Speaker: No, the fees for each classification of businesses or categories.

Floor Leader: We are looking at the proposed floor amendment. I think we should reexamine ourselves whether we are really serious in trying to help our Commonwealth Government with the present financial situation or are we just trying to play Santa Claus. I am arguing on the proposed amendment. Mr. Speaker I will give you one example. The insurance business are making about a million dollars a year especially at this place. It is lucky if they disburse \$100,000 a year, and to let them pay \$150 to \$200 license fee is a sin to God. (Laughter) At this time you go to any insurance business and ask them their financial statement and see how much profit they are making.

Speaker: Floor Leader even at the current license fee, the proposed floor amendment is higher a little bit than the existing fee.

Floor Leader: From the beginning I was misled when I signed this Committee Report because this was not included. I do not think that it is fair for me to . . . .

B. Sablan: This is a floor amendment.

Floor Leader: No, but with the original the Chairman told me that he will not change anything. I have registered my concern for a long time regarding the proposed fee and we made a compromise. Looking at this, this is a sin.

Fitial: Hotel fees went down very drastically, from \$1,000 to . . . .

Floor Leader: Mr. Speaker I know that it is an election year and I do not think the businesses will take it seriously that we are trying to impose this burden on them. I am not doing this for my own interest. Whatever the government receives from these fees, they will be distributed equally to the resident of the Commonwealth people.

Speaker: I will like to point to the members that the license fees is not where we make or generate revenue.

Floor Leader: For that simple reason that this happens only once a year, because if it happen every month, even lowering it to \$50, I will agree, but you pay only once a year. How much revenue are we going to get?

Speaker: This is not for the general revenue.

Floor Leader: Irregardless Mr. Speaker. During our discussion with the committee I stated that even Jack and Jill, in order to discourage Filipinos who are here and if they have \$50 they will open their recruitment agency. I proposed to enforce \$500 license fee in order to discourage outsiders. When I went to Guam for the APIL Conference they come out and put \$150. This is not fair. What are we trying to do. We want to protect our people that is why I agreed with the original version, I proposed \$1,000 for any recruitment agency. There are about 50 recruitment agencies and most of them are owned by Filipinos. I am not prejudice nor bais, but with the present system, should they have \$50 in their banking account they could open any kind of business. I hope my good colleagues will not mind me for speaking this long, but it is not fair.

Lifoifoi: Let us have a short recess.

Speaker: Let us have a short recess.

The House recessed at 5:00

The H0use reconvened at 5:10

Speaker: Prior to recess we were discussing the proposed floor amendment as offered by Rept. Hocog on behalf of Rept. Juan T. Guerrero.

Hocog: I will like to withdraw my motion on the amendment of the bill, H.B. No. 43.

Speaker: Only the subsequent motion.

Hocog: The amendment on Pages 4, 5 and 6.

Speaker: But the rest, you want it adopted. Right?

Hocog: Right.



Speaker: Any second to that motion?

Vice Speaker Tudela seconded the motion.

Speaker: Discussion.

Hocog: Ready.

Speaker: The motion is to withdraw the original motion and that is to replace pages 4, 5 and 6 of the bill, but to proceed with the adoption of the language proposed amendment.

The motion to withdraw the motion of the original motion which is to replace pages 4, 5 and 6 of H.B. No. 43, ~~carried by voice vote~~ Comm. Subs., carried by voice vote.

The motion to adopt the proposed amendment offered by Rept. Juan T. Guerrero, on page 6, line 24 of H.B. No. 43, Comm. Subs., carried by voice vote.

Floor Leader: I move that we refer H.B. No. 43, Comm. Subs., to the original committee.

B. Sablan: May I offer my floor amendment first.

Speaker: Proceed.

B. Sablan: In front of you is April 22, 1985, letter to the Speaker from my Committee's Office. In the form of a motion also Mr. Speaker, I am offering the motion to amend Section 22, Penalties, by adding an additional Subsection (d) and the present Section (d) is redesignated as Subsection (e).

For Subsection (d) I would like to specify "Any licensee who is not a domestic business, a citizen or permanent resident of the Northern Marianas, or a citizen of the United States who violates any provision of this Act, 3 CMC Division 4, Chapter 3 and 4, or is convicted of a felony shall not be eligible for a business license and such violation shall constitute grounds for deportation and immediate revocation of all other business licenses issued."

Hocog seconded the motion .

Speaker: Discussion on the proposed floor amendments.

Floor Leader: Mr. Speaker, I seldom argue with my close colleague in here, but I cannot help it. I do not think it is constitutional to reject those people who are not Commonwealth or U.S. citizens in regards to this proposed amendment offered by my good colleague. I do not think this is fair to impose this kind of provisions. In Guam under the law, if you obtain a business permit then you are privileged and I am privilege to the law to conduct a business. Whether you are negro or Indian, if you are to be punish, you will be punish under the same provisions of the penalty. I do not believe that a negro will get a more severe punishment than the Indian. If one breaks the law, then he or she gets punish.

B. Sablan: I do not know where in my amendments that discreminates between non-residents. I am saying here that a licensee who is not a domestic business, a citizen or a permanent resident, I am not reclassifying to say those that are outsiders or non-resident or whatever. My intention are for citizens and permanent residents. I do not know where the argument comes in.

Floor Leader: What about those that are not permanent residents.

Hocog: Mr. Floor Leader it says here any licensee who is not a domestic business or a citizen of the Commownealth Resident. That means that all person doing businesses, provided however that it does not violate the law.

B. Sablan Basically what I am saying is all businesses here. I am including the citizens and permanent residents. Is that satisfactory to you my good Floor Leader?

Floor Leader: For the time being. (Laughter)

Speaker: Any further discussion on the proposed floor amendments?

I. Demapan: Mr. Speaker, I tend to agree with Cong. Sablan, however I think deportation is quiet severe on the issue. They have to also consider the area of generating more revenues, more taxes for the government. I believe a fine is adequate for such violation.

B. Sablan: My intention here is only eligible, shall constitute grounds, which take this to mean that you are to be deported if you violate certain information of our law. I do not think that is the gist of the amendments. What I am simply saying is that if there is grounds ~~with/conditions/~~ on this condition and somebody in the enforcement law and Judicial Branch will determine what that amounts to be, we are not dictating pro se that an individual who violates will be deported by the way, "It says shall constitute for grounds of deportation." This is subject to discussion or debate on perhaps the administration or the Judiciary. I am only offering amendments that would assist in general the people of the Northern Marianas. In particular, if we have for instance like the Korean Bars who constantly violates our Civil Laws, these people I think should be deported. If there is no such law that protects the deportation or word including the word that would give them that thought that if we found them guilty and are convicted, let me remind you again that they have to be convicted in order for them to have grounds for deportation, then that grounds for deportation will be discuss.

Speaker: This legislation requires conviction of the violation.

Torres: Isn't this included in the Immigration Law?

B. Sablan: See there is no specify language that there will be a constitute grounds for deportation. We are adding that into the present law that we have in the Immigration Law, and so is this Domestic Business Act.

Speaker: Any further discussion?

Lifoifoi: Ready.

The motion to adopt the proposed amendments offered by Reprt. Benigno Sablan to H.B. No. 43, carried by voice vote.

Speaker: We will now go back to discuss the bill in the form of Committee Substitute, H.D. 2.

Fitial: Ready.

The Clerk called the roll for voting purposes on H.B. No. 43, ~~H/D/2/~~ H.D. 2, Comm. Subs.. The voting result, ten voting yes. H.B. No. 43, H.D. 2, Comm. Subs., passes the House on its ~~First/and~~ Final Reading.

Sepaker: Next bill on the calendar?

Clerk: None Mr. Speaker.

Floor Leader: Motion that the House stands adjourn subject to the call of the Chair.

Lifoifoi seconded the motion.

Sepaker: Before we entertain that motion Mr. Floor Leader, I will like to announce that there is a Youth Take-Over Day this coming Friday. I will like to reach a consensus that we have a session for this day at ten o'clock in the morning. Tomorrow we will have a session at 2:00 p.m..

Floor Leader: After that Youth Take Over Day, I think we should prepare because we were caught right in the middle with the legislation where we are not prepared, I think we should ~~discuss~~ prepare what we are to discuss. Those students are our future leader for tomorrow. I hope that we get together sometimes Wednesday or Thursday. . . .

Speaker: You have a good concern Mr. Floor Leader. I will like to ask each member to be prepared and have themselves ready. Maybe a mock session will be in order for the students to participate.

B. Sablan: Let us get some controversial bill.

Speaker: If you have any ideas, prepare a resolution or a bill for the students to really discuss, I urge that you prepare something. We can use old bills. Okay, can we adjourn until tomorrow at 2:00 o'clock.

Floor Leader: Do we have anything on the calendar?

Speaker: We are going to work on the Appro.

Floor Leader: So move.

B. Sablan seconded the motion.

The motion to adjourn the House until Wednesday at 2:00 o'clock, carried by voice vote.