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**THE SENATE
TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND REGULAR SESSION, 2000**

Second Day

Friday, September 22, 2000

The Senate of the Twelfth Northern Marianas Commonwealth Legislature, Second Day, Second Regular Session, 2000, was called to order at 9:15 a.m. in the Tinian Dynasty Hotel on Tinian, MP 96950

The Honorable Paul A. Manglona, President of the Senate, presided.

A moment of silent prayer was observed.

The Senate Clerk called the roll and all nine (9) members were present.

READING AND APPROVAL OF THE JOURNAL

None

MESSAGES FROM THE GOVERNOR

Gov. Mesg. No. 12-253: July 21, 2000 -- PL 11-6 Exemption for Hotel Nikko Saipan, Inc. dba La Fiesta Shopping Plaza.

Gov. Mesg. No. 12-254: July 21, 2000 -- PL 11-6 Exemption for UNION CORPORATION dba Myong Dong Market I, II and Myong Gas Station.

Gov. Mesg. No. 12-255: July 21, 2000 -- PL 11-6 Exemption for Pacific Gardenia Hotel.

Gov. Mesg. No. 12-256: July 21, 2000 -- PL 11-6 Exemption for Ginen Saipan.

Gov. Mesg. No. 12-257: July 24, 2000 -- Certification to allow annual salary in excess of \$50,000 for Dr. Hilmer Negrete, a physician at CHC.

Gov. Mesg. No. 12-258: July 25, 2000 -- Certification/Justification that the following positions are vacant and must be filled during the period of continuing resolution: Office of the Mayor of Rota, 2; and Department of Public Works, Rota, 2.

Gov. Mesg. No. 12-259: July 25, 2000 -- PL 11-6 Exemption for FNC Saipan, Inc.

Gov. Mesg. No. 12-260: July 25, 2000 -- PL 11-6 Exemption for UNION CORPORATION dba Myong Dong Market I, II and Myong Gas Station.

Gov. Mesg. No. 12-261: July 25, 2000 -- PL 11-6 Exemption for Dive Staff Corporation.

Gov. Mesg. No. 12-262: July 25, 2000 -- Informing the Speaker of the House and the Chairman of the Saipan & Northern Islands Legislative Delegation that he had signed into law HLB 12-9, S.1, D.1, entitled, "To amend SLL 12-1 and 12-2, Section 2; and for other purposes." (SLL 12-3 - 07/25/00)

Gov. Mesg. No. 12-263: July 25, 2000 -- Informing the Speaker of the House and the Chairman of the Saipan & Northern Islands Legislative Delegation that he had signed into law HLB 12-10, D.1, entitled, "To appropriate the sum of \$78,100.00 on the fees collected from the bingo and Cockfight; and for other purposes." (SLL 12-4 – 07/25/00)

Gov. Mesg. No. 12-264: July 27, 2000 -- Certification/Justification that 6 positions in the Tinian Health Center are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-265: July 27, 2000 -- Certification that 2 positions for Fishery Biologist III in the Department of Lands and Natural Resources are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-266: August 01, 2000 -- PL 11-6 Exemption for Department of Public Health.

Gov. Mesg. No. 12-267: August 01, 2000 -- PL 11-6 Exemption for Hard Rock Café, Saipan.

Gov. Mesg. No. 12-268: August 02, 2000 -- Certification to allow annual salary in excess of \$50,000 for Dr. Sachdev Somiah, a physician at the CHC.

Gov. Mesg. No. 12-269: August 02, 2000 -- Certification that 2 positions of Project Development Workers on Rota that are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-270: August 02, 2000 -- Certification that the position of Psychiatrist at the Department of Public Health is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-271: August 03, 2000 -- Informing the Legislature that he had signed into law SB 12-70, entitled, "To vacate §305 (b) of Executive Order 94-3 to return the responsibility of administering Developmental Disabilities programs to the Office of the Governor; and for other purposes." (PL 12-10 – 08/03/00)

Gov. Mesg. No. 12-272: August 03, 2000 -- Informing the Legislature that he had signed into law HB 12-39, CS2, SS1, CD1, the "Omnibus Labor and Business Reform Act of 2000". (PL 12-11 – 08/03/00)

Gov. Mesg. No. 12-273: August 7, 2000 -- Certification that the position of Administrative Officer III at the Office of the Public Defender is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-274: August 8, 2000 -- Certification that the position of Clerk for the Commonwealth Law Revision Commission is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-275: August 8, 2000 -- Informing the Legislature that he had signed into law HB 12-162, CS1, the "Managaha Marine Conservation Act of 2000". (PL 11-12 – 08/08/00)

Gov. Mesg. No. 12-276: August 8, 2000 -- Informing the Legislature that he had signed into law HB 12-229, entitled, "To reappropriate Local and 702 fund balances from PL 11-119; and for other purposes." (PL 12-13 – 08/08/00)

Gov. Mesg. No. 12-277: August 8, 2000 -- PL 11-6 Exemption for Pacific Drilling, Ltd.

Gov. Mesg. No. 12-278: August 10, 2000 -- PL 11-6 Exemption for R.K.R, INC. dba Pacific Blue Denim.

Gov. Mesg. No. 12-279: August 10, 2000 -- PL 11-6 Exemption for PC Auto Clinic.

Gov. Mesg. No. 12-280: August 10, 2000 -- PL 11-6 Exemption for Western Equipment Incorporated.

Gov. Mesg. No. 12-281: August 10, 2000 -- PL 11-6 Exemption for two seasons, Inc.

Gov. Mesg. No. 12-282: August 14, 2000 -- Certification for annual salary in excess of \$50,000 for Dr. Prospescu Dragos at CHC.

Gov. Mesg. No. 12-283: August 14, 2000 – PL 11-6 Exemption for Pilot Trading corporation dba Pioneer Audio-Video Shop.

Gov. Mesg. No. 12-284: August 14, 2000 – PL 11-6 Exemption for A.C.C.S. Corporation dba Cartown.

Gov. Mesg. No. 12-285: August 15, 2000 – PL 11-6 Exemption for Hyatt Regency Saipan.

Gov. Mesg. No. 12-286: August 16, 2000 – PL 11-6 Exemption for Telesource CNMI, Inc.

Gov. Mesg. No. 12-287: August 16, 2000 – PL 11-6 Exemption for Takakunai Silver Center.

Gov. Mesg. No. 12-288: August 16, 2000 – Nominating Mr. Juan M. Santos to serve as a member of coastal Resources Management Appeals Board of Directors representing Rota.

Gov. Mesg. No. 12-289: August 17, 2000 – PL 11-6 Exemption for computer World Technology, Inc.

Gov. Mesg. No. 12-290: August 21, 2000 – Certification for annual salary in excess of \$50,000 for Dr. Marc Lloyd Wiltshire at the CHC Emergency Room.

Gov. Mesg. No. 12-291: August 22, 2000 – Certification for annual salary in excess of \$50,000 for Dr. Betty Tan at the Tinian Health Center.

Gov. Mesg. No. 12-292: August 22, 2000 – Certification that the positions of Researcher, Commonwealth Worker, and community Service Representative at the Tinian Municipal Council are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-293: August 23, 2000 – PL 11-6 Exemption for Marianas Visitors Development, Inc.

Gov. Mesg. No. 12-294: August 23, 2000 – PL 11-6 Exemption for hatamata International Inc. d.b.a. Dolce hair Mode Salon.

Gov. Mesg. No. 12-295: August 23, 2000 – PL 11-6 Exemption for Tasi tours & Transportation, Inc.

Gov. Mesg. No. 12-296: August 24, 2000 – Nominating Mr. Phillip M. Long to serve on the Marianas Public Land Trust.

Gov. Mesg. No. 12-297: August 25, 2000 – Informing the Legislature that he had signed into law HB 12-16, HD1, SD1, the "Fair Fishing Act of 2000" (PL 12-14 – 08/25/00)

Gov. Mesg. No. 12-298: August 25, 2000 – Informing the Legislature that he had signed into law HB 12-115, HD1, entitled, "To establish a Lease-To-Own housing Program for qualified applicants and first-time homebuyers; and for other purposes." (PL 12-15 - 08/25/00)

Gov. Mesg. No. 12-299: August 25, 2000 – Informing the Legislature that he had signed into law HB 12-131, entitled, "To amend 4 CMC § 1708 to ensure equitable treatment between landowners who received public land and those who receive cash compensation from the government in exchange for their private land, and for other purposes."
(PL 12-16 – 08/25/2000)

Gov. Mesg. No. 12-300 – August 25, 2000 – Informing the Legislature that he disapproved HB No. 12-045, entitled, "To amend 4 CMC 5613, and for other purposes." (DISAPPROVED ON 08/25/00)

Gov. Mesg. No. 12-301: August 25, 2000 – Informing the Legislature that he disapproved HB 12-154, HD1, SD1, entitled, "To amend the commonwealth State Funeral Act (1 CMC 453); and for other purposes." (DISAPPROVED ON 8/25/00)

Gov. Mesg. No. 12-302: August 25, 2000 – Informing the Legislature that he had signed into law HLB 12-6, D2, entitled, “To amend the Master Map as defined in Saipan Local Law No. 11-3 by revising the street names assigned to the villages; and for other purposes.” (SLL No. 12-5 – 08/25/00)

Gov. Mesg. No. 12-303: August 25, 2000 – Certification and justification for 5 vacant positions in the Department of Public Health that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-304: August 28, 2000 – PL 11-6 Exemption for Saipan Laulau Development, Inc. dba LaoLao Bay Golf Resort.

Gov. Mesg. No. 12-305: August 30, 2000 – Certification and justification for 1 vacant position of a Community Worker for the Rota Municipal Council that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-306: September 01, 2000 – Informing the Speaker of the House and the President of the Senate that he had signed into law HB 12-84, HD1 known as “The Minor Children Firearms Control Act of 2000”. (PL 12-17 – 08/01/2000)

Gov. Mesg. No. 12-307: September 01, 2000 – Informing the Legislature that he disapproved HB 12-003, entitled, “To require landowners to grant a right of way or provide for any other reasonable access to a public road for any real property which has been subdivided and is offered for sale, lease, or exchange; and for other purposes” DISAPPROVED ON 08/01/2000)

Gov. Mesg. No. 12-308: September 01, 2000 – Certification for Annual Salary in Excess of \$50,000 for Physician for Dr. Arthur David Barnes.

Gov. Mesg. No. 12-309: September 01, 2000 – Certification for vacant position of Building Maintenance Supervisor in the DLNR that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-310: September 01, 2000 – Certification for vacant position of Physician-Obstetric/Gynecology at the Department of Public Health that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-311: September 01, 2000 – PL 11-6 Exemption for Saipan Employment Agency and Services, Inc.

Gov. Mesg. No. 12-312: September 08, 2000 – PL 11-6 Exemption for Dai Sei Corporation dba Echo Karaoke Club.

Gov. Mesg. No. 12-313: September 08, 2000 – PL 11-6 Exemption for Marianas Sports Club Inc.

Gov. Mesg. No. 12-314: September 14, 2000 – Informing the Legislature that he had signed into law SB 12-16, SD3, cited as the “Northern Mariana Islands Election Reform Act of 2000” (PL 12-18 ON 09/14/2000)

Gov. Mesg. No. 12-315: September 20, 2000 – Informing the Legislature that he had signed into law SB 12-34, cited as the “Domestic and Family Violence Prevention Act of 2000” (PL 12-19 ON 09/20/2000)

Gov. Mesg. No. 12-316: September 15, 2000 – Certification of vacant position of Community Worker at the Tinian Municipal Council and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-317: September 18, 2000 – Acknowledging receipt of JSR No. 12-002, JSD3, fifteen (15) years lease extension between MPLC and SC Properties (Saipan), Inc.

Gov. Mesg. No. 12-318: September 19, 2000 – PL 11-6 Exemption for JM Torres, Inc.

Gov. Mesg. No. 12-319: September 19, 2000 – Certification for vacant position of Land Title Investigator and adjudicator in the DLNR and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-320: September 19, 2000 – PL 11-6 Exemption for Department of Public Health.

Gov. Mesg. No. 12-321: September 19, 2000 – Certification for Annual Salary in Excess of \$50,000 for Dr. James Paul Starodub.

Gov. Mesg. No. 12-322: September 19, 2000 – Certification and justification for vacant positions of one (1) Administrative Asst./Replacement and one (1) Community Development Specialist I/Replacement at the Dept. of Community & Cultural Affairs, Rota and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-323: September 21, 2000 – Certification for Annual Salary in Excess of \$50,000 for Dr. Rory C. Mackay, Physician at the Commonwealth Health Center.

Gov. Mesg. No. 12-324: September 21, 2000 – Certification for vacant position of two (2) Nursing Assistant and one (1) Dental Assistant at the Department of Public Health and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-325: September 21, 2000 – Certification for vacant position of Security Guard at the Office of the Mayor and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-326: September 21, 2000 – Certification and justification for vacant position of Administrative Assistant and Community Worker for the Office of the Special Assistant for Administrative and must be filled during the period of continuing resolution.

COMMUNICATIONS FROM THE JUDICIARY

None

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS

None

HOUSE COMMUNICATIONS

Hse. Comm. No. 12-82: Transmitting for Senate action HB 12-122, HD2, entitled, “To establish a Special CIP Account for the Third Senatorial District, and for other purposes.”

Hse. Comm. No. 12-83: Transmitting for Senate action HB 12-149, entitled, “To amend Subsection 2 of Section 2 of Public Law 11-43; and for other purposes.”

Hse. Comm. No. 12-84: Transmitting for Senate action HB 12-177, CS1, entitled, “Toxic Substances Exposure Compensation Act.”

Hse. Comm. No. 12-85: Transmitting for Senate action HB 12-188, HD1, entitled, “To appropriate funds to supplement the funds available for the West Tinian Airport Airside Capital Improvement Project; and for other purposes.”

Hse. Comm. No. 12-86: Transmitting for Senate action HB 12-209, entitled, “To repeal and reenact 1 CMC 1601-1616, and for other purposes.”

Hse. Comm. No. 12-87: Transmitting for Senate action HJR 12-14, HD1, entitled, “A House Joint Resolution supporting the immediate hiring of Preston, Gates, Ellis & Rouvelas, Meeds (LLP), a Washington, D.C. lobbyist, to defend the Covenant and interests of the CNMI in Washington, D.C.”

Hse. Comm. No. 12-88: Informing the Senate that the House accepted the Senate amendments to HB 12-11, entitled, “To stimulate the economy of the Northern Mariana Islands through the creation of free trade zones, the creation of tax incentives, and the establishment of a public corporation to administer free trade zones; and for other purposes.”

Hse. Comm. No. 12-89: Transmitting for Senate action HB 12-126, entitled, "To give eligible current or former CNMI Government employee entitled to a salary adjustment pursuant to PL 7-31 the option to elect to convert their entitlement to vesting service in the Northern Marianas Retirement Program; and for other purposes."

Hse. Comm. No. 12-90: Transmitting for Senate action HB 12-171, CS1, entitled, "To authorize the Northern Marianas Housing Corporation's (NMHC) payment to Marianas Public Land Trust (MPLT) for funds loaned pursuant to PL No. 10-39, as amended, to be made from appropriations from the revenues that MPLT turns into the general fund each year, and to grant NMHC a ten (10) year moratorium on repaying the sum of Ten Million (\$10,000,000.00) dollars to the CNMI; and for other purposes."

Hse. Comm. No. 12-91: Transmitting for Senate action HB 12-100, HD1, SD2, HD2, entitled, "To reappropriate fund balances from PL 11-67; and for other purposes." [*Passed once by the Senate on 6/27/00*]

Hse. Comm. No. 12-92: Transmitting for Senate action HB 12-202, SD1, HD1, entitled, "To re-appropriate fund balances from PL 9-24; and for other purposes." [*Passed once by the Senate on 6/16/00*]

Hse. Comm. No. 12-93: Returning without amendment SB 12-16, SD3, entitled, "To repeal and reenact the Election Law of the Commonwealth of the Northern Mariana Islands (1 CMC, Division 6, Part 1); and for other purposes."

Hse. Comm. No. 12-94: Transmitting for Senate action HB 12-159, entitled, "To allow the PIDB to operate as a non-profit bank for the purpose of providing additional resources to expand and strengthen economic activities in the CNMI and to increase the financial capacity of the CNMI; and for other purposes."

Hse. Comm. No. 12-95: Transmitting for Senate action HB 12-220, entitled, "To amend Title 2 section 5326 of the Commonwealth Code, to modify quarantine requirements, and for other purposes."

Hse. Comm. No. 12-96: Transmitting for Senate action HB 12-189, entitled, "To amend 7 CMC 3305, and for other purposes." (Re authenticity of court documents)

Hse. Comm. No. 12-97: Returning with amendments SB 12-36, entitled, "To require insurance coverage for individuals with diabetes in the Commonwealth."

Hse. Comm. No. 12-98: Transmitting for Senate action HB 12-152, CD1, entitled, "To enact a new Banking Code for the Commonwealth, and for other purposes."

Hse. Comm. No. 12-99: Transmitting for Senate action HB 12-22, CS1, entitled, "To appropriate Three Hundred thousand Dollars (\$300,000) for the construction of covered sidewalks in full compliance with federal accessibility standards for Garapan and Oleai elementary School; and for other purposes."

Hse. Comm. No. 12-100: Transmitting for Senate action HJR 12-15, entitled, "To urgently request the Governor, the Secretary of Lands and Natural Resources, the Division of Public Lands and the Office of the Attorney General to reconsider the eviction notice dated August 2, 2000, to cattle ranches in Marpi forest area; and for other purposes."

Hse. Comm. No. 12-101: Transmitting for Senate action HB 12-153, CS1, entitled, "To re-appropriate \$720,743.00 from the fund balances from PL Nos. 9-24 and 10-38 for various construction projects; and for other purposes."

Hse. Comm. No. 12-102: Transmitting for Senate action HB 12-218, entitled, "To appropriate \$14,391.48 for a covered walkway project at San Vicente Elementary School; and for other purposes."

Hse. Comm. No. 12-103: Transmitting for Senate action HB 12-238, entitled, "To amend PL 12-11, and for other purposes." (To change Department of Commerce to Department of Finance re business license for garment factory)

Hse. Comm. No. 12-104: Transmitting for Senate action HB 12-57, CS1, entitled, "To repeal and reenact 3 CMC Div. 2, Chapter 1, Article 2; to amend Chapter 6 of 3 CMC Division 2 by adding a new section regarding the issuance of sanitary permits and enforcement; and for other purposes."

Hse. Comm. No. 12-105: Transmitting for Senate action HB 12-141, CD2, entitled, "To provide for the administration and compensation of Municipal Councils, and their members on the islands of Saipan and Northern Islands, Rota, and Tinian, and to amend certain provisions of 1 CMC, Division 1, Chapter 4, and for other purposes."

Hse. Comm. No. 12-106: Transmitting for Senate action HB 12-64, CD1, entitled, "To amend 6 CMC § 2208, to create a new subsection (f), to make members of the Commonwealth Ports Authority Police enforcement officers for purposes of the Commonwealth Weapons Control Act; and to amend 1 CMC § 8282 by creating a new subsection (m), to qualify employees of the Commonwealth Ports Authority Police for death benefits; and for other purposes."

Hse. Comm. No. 12-107: Transmitting for Senate action HB 12-199, CD1, entitled, "To promote economic development in the Commonwealth by offering a limited number of hospitality and technology oriented business tax abatement and/or rebate opportunities in exchange for the development of desirable facilities or activities."

Hse. Comm. No. 12-108: Transmitting for Senate action HB 12-85, CD1, entitled, "To establish a Commission on Judicial conduct, to hear and adjudicate complaints against Justices and Judges of the Commonwealth courts; and for other purposes."

Hse. Comm. No. 12-109: Transmitting for Senate action HB 12-175, CS1, entitled, "To establish a Schedule of civil Penalties to be invoked against persons who cause or allow utility services to be connected to their property without properly connecting the services through the procedures of the Commonwealth Utilities Corporation."

Hse. Comm. No. 12-110: Transmitting for Senate action HB 12-82, CD1, HD1, entitled, "To establish a mechanism regulating the CNMI-Based Trust companies, and for other purposes."

Hse. Comm. No. 12-111: Informing the Senate that the House voted to recall from the Governor HB 12-131, entitled, "to amend 4 CMC 1708 to ensure equitable treatment between landowners who received public land and those who receive cash compensation from the government in exchange for their private land, and for other purposes."

Hse. Comm. No. 12-112: Transmitting for Senate action HB 12-54, CD1, entitled, "To amend title 9 CMC Division 2, to eliminate the registration requirement for bicycles, raise the registration fees for motor vehicles, and require that all cars and trucks display license plates on both the front and rear and for other purposes."

Hse. Comm. No. 12-113: Transmitting for Senate action HB 12-158, CD1, HD2, re EDUCATION ACT AMENDMENT (Commissioner Appointment & Qualifications, redefine grade levels entry)

Hse. Comm. No. 12-114: Transmitting for Senate action HB 12-052 re Public Auditor's authority over government audits.

Hse. Comm. No. 12-115: Transmitting for Senate action HB 12-196, entitled, "To mandate the Office of Personnel Management to conduct a review of all Governor appointed positions, which are subject to advise and consent of the Senate, and to make recommendations for minimum qualifications for appointees, and for other purposes."

Hse. Comm. No. 12-116: Transmitting for Senate action HB 12-212, CD1, HD1, entitled, "To amend the Weapons Control Act to promote and allow resort developments offering target ranges for competitive rifle competition, and skeet shooting; and for other purposes."

Hse. Comm. No. 12-117: Transmitting for Senate action HCR 12-002, to approve the revenues and resources of the CNMI for FY 2001.

Hse. Comm. No. 12-118: Returning without amendment SB 12-34, the “Domestic and Family Violence Prevention Act of 2000.”

Hse. Comm. No. 12-119: Returning without amendments SB 12-65, the “Commonwealth Medical and Health Insurance Task Force.”

Hse. Comm. No. 12-120: Informing the Senate that the House voted to recall from the Governor HB 12-154, HD1, SD1, entitled, “To amend the Commonwealth State Funeral Act (1 CMC § 453); and for other purposes.”

Hse. Comm. No. 12-121: Transmitting for Senate action HLI 12-001, HS1, entitled, “To amend Article XV, Section 1(e) of the Constitution of the Commonwealth of the Northern Mariana Islands.”

Hse. Comm. No. 12-122: Transmitting for Senate action HB 12-246, CS1, entitled, “To make appropriations for the operations and activities of the Government of the CNMI, its agencies, instrumentalities, and independent programs, and to provide budget authority for Government Corporations for FY 2001; and for other purposes.”

Hse. Comm. No. 12-123: Transmitting for Senate action HB 12-258, entitled, “To amend 4 CMC § 1708(b)(1)(iii); and for other purposes”.

Hse. Comm. No. 12-124: Transmitting for Senate action HB 12-208, CD1, entitled, “To provide for the licensing and regulation of finance companies, other than banks, making consumer loans, and for other purposes.”

Hse. Comm. No. 12-125: Transmitting for Senate action HB 12-123, CS1, entitled, “To increase fresh water supply through water catchment systems and for other purposes.”

Hse. Comm. No. 12-126: Returning without amendments SB 12-2, entitled, “To amend 3 CMC § 4322(d) to permanently ban a deported alien from reentry into the Commonwealth; and for other purposes.”

Hse. Comm. No. 12-127: Transmitting for Senate action HB 12-109, CS1, entitled, “To amend 1 CMC Division 8, by adding a new section 8355, and for other purposes.”

Hse. Comm. No. 12-128: Transmitting for Senate action HB 12-073, HD1, entitled, “To make technical amendments in section 1, 2, and 3, of PL 10-88, and 1 CMC 8341(d) and 1 CMC 8344(f), and for other purposes.”

Hse. Comm. No. 12-129: Transmitting for Senate action HB 12-194, entitled, “To provide for the appointment of individual members of the Youth Congress as non-voting honorary members of each Commonwealth Board and Commission and for other purposes.”

Hse. Comm. No. 12-130: Returning without amendments SB 12-4, entitled, “To adopt the Uniform Comparative Fault Act; and for other purposes.”

Hse. Comm. No. 12-131: Transmitting for Senate action HB 12-237, entitled, “To amend Section 1 and Section 3 of PL 11-100 to reappropriate \$500,000 appropriated for Tatachog Library and for other purposes.”

Hse. Comm. No. 12-132: Transmitting for Senate action HB 12-192, entitled, “To encourage the establishment of more post secondary educational institutions in the Commonwealth; and for other purposes.”

Hse. Comm. No. 12-133: Transmitting for Senate action HB 12-245, CD1, entitled, “To amend the Auditing Act to avoid duplication of actions by the Office of the Public Auditor and the Division of Revenue and Taxation; to repeal 1 CMC § 7331, and for other purposes.”

WASHINGTON REPRESENTATIVE'S COMMUNICATIONS

None

Floor Leader Reyes: In this case the House has not acted and we don't...

President Manglona: Normally, Floor Leader, I reserve my comments, but I think that this particularly bill is extra sensitive. The Senate had been accused in the past of not acting on a state funeral bill. I think that this being a House Bill, it's only proper that the House override their own bill. So, I urge all the members to act on this not as a sign that we are in conflict with the Governor, but as a message that the Senate is sensitive in recognizing our past elected officials. There have been two deaths in the past where the Senate was accused of not coming into session to act on a bill. Most recently, was the late Pete Nakatsukasa.... Once signed, it would allow the government to recognize, official recognition, of those people who have served us in the past. I think that the message here is to recognize our elected officials of the past. That's my comment. Thank you. Is there any other member who would like to comment?

Senator Adriano voiced "ready".

The Chair recognized Senator Cing.

Senator Cing: Mr. President, what was the Governor's concern, to override?

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, the Governor was concerned about the discretionary authority that we put in the bill. There is a provision that would allow the Governor the discretion as to who to extend a state funeral to and that is what the Governor is objecting to. There's no problem with the Governor, I think, with respect to the inclusion of former elected officials of the Legislature. I think that the problem here is where the Governor is given discretion and that discretion has a very wide range. And so almost anybody could be effectively qualified. If members of the Legislature want it to be very specific, then I think that we can be very specific.

The Chair recognized Senator Cing.

Senator Cing: Mr. President, two years ago, I introduced a bill that would give the Governor and the Lt. Governor like (\$5,000.00) five thousand dollars, for the Senators (\$4,000.00) four thousand dollars, for the House and so forth, down to the Municipal Council. I wonder if the Governor is familiar with that bill because if this bill that we have here today fails, then I might pull that out and reintroduce the same bill.

President Manglona: Let me just follow through with the Floor Leader's comment. I think that the main reason the Governor vetoed this is that it would allow him wide discretion. In other words, he fears that there might be pressure from the general public, if somebody dies and families or close friends want to recognize them. So he was kind of hesitant to sign this into law because then there would be a lot of pressure in recognizing even those that are less deserving. My point is that I agree with the Governor right now, but if the Governor were to issue, after the passage of this, for example, a regulation or some policies that we can stick to, and before somebody dies and that policy is out already then I think that the pressure will no longer be there. But if this is passed and somebody passes away and there's no policy, then I can understand where he is coming from. But it is not an issue on how much we are paying for the state funeral as far as the Governor is concerned. That is not the issue that is being raised. I think that the only difference between this and the present law right now is that we're including past elected officials of the Commonwealth Legislature. That is the only addition to the present law, if I'm not mistaken, -- we're including the Mayors and the Legislature.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, this is just for clarification. Part of the concern which I think the Governor faces is those that could receive state funeral under the discretion of the Governor in the event that we don't have enough funding. State funeral services can be extended without the need to expend the normal three thousand dollars (\$3,000.00) for a state funeral. This is something, I think, the Governor looks forward to having us clarify. I want to make sure that the record is clear on my position. I support this bill and if we were to vote on it, I will vote in favor of the bill -- the override. I just think that it will not serve the purpose to override it here and have the House sit on it and not act on it. That's the only point that I'm trying to make.

The Chair recognized Senator Cing.

Senator Cing: I agree with Senator Reyes, Mr. President.

President Manglona: Vice President, do you have a comment?

Vice President Villagomez: Yes, I was just a bit concerned on the issue that was raised by the Governor on the amendment, "(i) others deemed appropriate by the Governor". I agree with you, Mr. President, that if we do have a set policy of who can qualify in the event of a state funeral -- because right now there's no restriction on who can qualify. If the Governor feels that it's appropriate to do a state funeral in the Commonwealth for a person who is not a resident of the Commonwealth, he can do it on his own with this provision here. I was going to make a recommendation that maybe as a policy, state funerals can be recommended by Joint Resolutions from the members of the Legislature. Those are some of the procedures that might be appropriate to go with, but right now there's no set policy of who and how that state funeral is going to be conducted. I do agree that we hate to do some amendment, but do we want to put in the statute again on who can qualify and who can't? I think that we have to revisit this issue. If we are going to vote for an override, I will be voting for the override, but there's that concern. Are we going to initiate the override action and then let the House sit on it again and pass a different version? It looks like we're being put on the spot here. I will support and vote for an override if it is placed on the table. But I caution the action.

The Chair recognized Senator Guerrero.

Senator Guerrero: Thank you Mr. President. I think that the issue here is if those that have served our community for such a long time are not recognized, then I should look at it that not even us and not even the present Governor, when we are asked to go upstairs --should be totally not eligible for a state funeral. If we cannot do it for the people that have --- or Covenant or the Constitution and they cannot be recognized. Since we are the present leaders that are in this position, I think maybe it's good to introduce a legislation that no one should be eligible at all. I think that the main reason that the original state funeral law was repealed, was because of the three thousand dollars (\$3,000.00). I'm talking now by experience because I was the first SAA that was given the authority to eliminate state funeral. And for your information, Mr. President and colleagues, a lot of families are not interested in the money. It's just the recognition. So therefore, I think the money issue here is irrelevant. There are families that do not-- there are families I have visited during my tenure I asked them if they would like the government to do the state funeral. Some of them, majority of them, refused that. All they want is a plaque placed on the coffin and that's it. I think the issue here is money. I don't care if the Governor feels otherwise, but one of my discussions with him was strictly monetary. There was no money to pay for state funerals. So I think in general, I am supporting the state funeral law no matter whether I like it or, whether I'm a politician or not. But we have to look at those people that are still alive and there are a few individuals that are still alive that have given us the right to what we are doing today through the covenant negotiation and the constitution. And if we do not recognize them just because of this act, then I feel that we should totally eliminate the state funeral act and let the legislature come up with resolutions.... I think Mr. President, that's the way it should be. Thank you.

The Chair recognized Senator Adriano.

Senator Adriano: Mr. President, *este override ti ma dibebate gi iyotta* rules. It is either vote yes or no.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: One final comment on the state funeral issue, Mr. President. I'm supposed to be in charge of the following Senate pertinent rules here, and if we override we treat it like any other bill because this is a bill that is under consideration for action. And I just want to make one final statement that there is a lot of people that are deserving of a state funeral and I'll mention one. The late Honorable Henry Untalan Hofshneider for example, is deserving of a state funeral. And so I am sensitive of the need to recognize all these people and I think we should recognize them. The point that I'm trying to make is that if we were to pass something like that, for example, we need to be specific. We need to make sure that the Governor understands the extent of his authority to issue and what we intend to do. To give him a wide range of discretion is something that the Governor does not want to have. I would like to end debate and move for the previous question.

The Chair recognized Senator Dela Cruz for the first time.

Senator Dela Cruz: Mr. President, *este na bill, nai. Abmam este na bill maigo both gi House yan i Senate, and we're worrying that the House of Representative might not take action on this bill, nai. Sesu ni man ma criticize hit gi Senate sa pot we're not taking action on this particular bill. Pumaticipate ha' yo' anai matai si difunto Nakatsukasa guine gi last time. Pumaticipate ha' yo' talo' gi iyon-ña funeral si Bill Nabors yan pumalo siha na man matai ni manman contribute gi iyotta community. Ya, I think we should take action ya ta dagao guato este na bill gi House ya i House hu disidi kao, are they going to act on this. I understand that maybe it is not a perfect bill, lao we should be mindful na of course, it would be nice yanggin siña ta na' fan fona i House ya siha finenena hu fan override. Let them decide for themselves. This is a very important piece of legislation, Mr. President. Sigi ha' i taotao-ta ni man masapet guine gi iyotta Commonwealth, man matai ya taya recognition ma extetende giya siha. Ya I feel na we should end debate ya' polo, ya ta bota este gi floor ya tafan go forth. Thank you, Mr. President.*

President Manglona: *Taya objection?* We're back to the previous question. Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, we have met the necessary two-third votes for the override. With that, House Bill No. 12-154, HD1, SD1, is hereby overridden by the Senate. Is there any more comment under Governor's Communication? I understand that Senator Cing has a Standing Committee Report to offer. So if there's no objection, let us go to Standing Committee Reports.

STANDING COMMITTEE REPORTS:

STANDING COMMITTEE REPORT NO. 12-13: A BILL FOR AN ACT TO REQUIRE AN EQUITABLE DISTRIBUTION OF BENEFITS BEFORE THE GOVERNOR OR ANY OTHER EXECUTIVE BRANCH OFFICIAL CAN ACCEPT ANY FEDERAL GRANT OR PROGRAM; AND FOR OTHER PURPOSES.

Senator Cing: Thank you Mr. President. Your committee on Federal Relations and Independent Agency is happy to offer Standing Committee Report No. 12-13. Copies have been already passed to all the members.

Senator Adriano: Is that a motion?

President Manglona: There's a standing committee report before us. I understand that there's no objection for its placement. Since there's no member objecting to it, can I hear a motion for its passage before we entertain discussion?

Senator Adriano voiced, "I so move".

President Manglona: Any second?

Floor Leader Reyes: Point of clarification.

President Manglona: State your point.

Floor Leader Reyes: Mr. President, shall we place this on the Calendar for correction?

President Manglona: Actually, the committee report is being placed and now the motion is to pass the committee report. I don't hear a second.

Vice President Villagomez: Point of clarification, Mr. President.

President Manglona: Vice President Villagomez, state your point.

Vice President Villagomez: I would like to get an input of the... We do have Standing Committee Report 12-13 and they're reporting on a bill that was just introduced. I sure would like to see that the bill be also numbered.

President Manglona: For the record, Standing Committee Report No. 12-13 from the Federal Relations and Independent Agencies Committee is a report on Senate Bill No. 12-78. The attachment should indicate Senate Bill No. 12-78. So, with that, we are entertaining the motion for the passage of Standing Committee Report No.12-13. Is there any further discussion?

Senator Guerrero voiced "ready" and the motion to adopt Standing Committee Report No. 12-13 carried by voice vote.

President Manglona: Standing Committee Report No. 12-13 passes the Senate.

The Chair recognized Senator Adriano.

Senator Adriano: Mr. President, in line with that, I have committee reports also. The Committee on Executive Appointments and Governmental Investigation would like to report and submit Standing Committee Report No. 12-14, Standing Committee Report No. 12-15, and Standing Committee Report No. 12-16, for Antonia Apatang to serve as a member of the Board of Election, Juan M. Santos to serve as CRM Board representing Rota and Phillip Long to serve as a member of the MPLT representing Tinian, respectively. With that I so move.

President Manglona: Do we have copies of those reports? If there are not enough copies for the members, then I would urge the Chairman to move for the passage of each report orally. We are still under Standing Committee Report for confirmation consideration.

STANDING COMMITTEE REPORT NO. 12-14: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S APPOINTMENT OF MRS. ANTONIA M. APATANG TO SERVE AS A MEMBER OF BOARD OF ELECTION REPRESENTING SAIPAN.

Senator Adriano moved for its adoption and several members voiced "second".

President Manglona: Is there any discussion?

Several members voiced "ready".

President Manglona: Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Abstained
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes

Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Eight (8) members voted yes.

President Manglona: By a vote of eight (8) yes, and one abstention, Mrs. Antonia M. Apatang is hereby confirmed by the Senate to serve as a member of the Board of Election from Saipan.

STANDING COMMITTEE REPORT NO. 12-15: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S APPOINTMENT OF MR. JUAN M. SANTOS TO SERVE AS A MEMBER OF CRM BOARD REPRESENTING ROTA.

Senator Adriano moved for its adoption and several members voiced "second".

President Manglona: Is there any discussion?

Several members voiced "ready".

President Manglona: Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, Juan M. Santos is hereby confirmed as a member of the CRM Board representing Rota.

STANDING COMMITTEE REPORT NO. 12-16: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S APPOINTMENT OF MR. PHILLIP M. LONG TO SERVE AS A MEMBER OF MPLT BOARD REPRESENTING TINIAN.

Senator Adriano moved for its adoption and several members voiced "second".

President Manglona: Is there any discussion?

Several members voiced "ready".

President Manglona: Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes

Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Phillip M. Long to serve as a member of the MPLT from Tinian.

SPECIAL/CONFERENCE COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

PREFILED BILLS AND RESOLUTIONS:

Sen. Bill No. 12-74: A Bill for an Act to amend Section 4 of Public Law 11-77 to expressly and correctly state the legislative intent that the cap imposed on scholarships granted pursuant to the Postsecondary Education Scholarship Act of 1990 is to apply only to individuals awarded the scholarship after the effective date of the Act; and for other purposes. (SEN. PAUL A. MANGLONA –07/31/00)

Sen. Bill No. 12-75: A Bill for an Act to establish a Guaranteed Student Loan Program; and for other purposes. (SEN. PAUL A. MANGLONA – 07/31/00) [*See also SB 12-55*]

Sen. Bill No. 12-76: A Bill for an Act to repeal and reenact 3 CMC § 1341 and §1342 to establish the CNMI Honor Scholarship Program; and for other purposes. (SEN. PAUL A. MANGLONA – 07/31/00)

Sen. Bill No. 12-77: A Bill for an Act to establish a Division of Intergovernmental Relations in the Office of the Attorney General; to provide professional staff support and continuity of effort in the commonwealth's relations with the United States government; to further the Commonwealth's interests in Washington, DC, in coordination with the Governor and the Resident Representative to the United States; to focus attention on issues of local government and the allocation of powers and functions between central and local and other issues of governmental organization in the Commonwealth; and for other purposes. (SEN. PAUL A. MANGLONA – 08/02/00)

Sen. Res. No. 12-17: A Senate Resolution requesting the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii, through the Department of health, Division of Adult Mental health, to assist the Commonwealth of the Northern Mariana Islands in its urgent need to secure a forensic psychiatrist and to make recommendations on how to improve the Commonwealth's delivery of mental health services for violent mental patients. (SEN. RAMON S. GUERRERO – 08/14/00)

Sen. Res. No. 12-18: A Senate Resolution to convey the sincere condolences and sympathy of the Senate and the people of the Northern Mariana Islands to Mrs. Guadalupe M. Cepeda and children on the untimely passing of the late Honorable Luis Manibusan Cepeda and to pay fond tribute to his memory. (SEN. PAUL A. MANGLONA – 08/21/00)

Sen. Res. No. 12-19: A Senate Resolution to convey the sincere condolences and sympathy of the Senate and the people of the CNMI to the bereaved family of the late Honorable Willaim B. Nabors, on the occasion of his untimely passing and to pay fond tribute to his memory. (SEN. JOSE M. DELA CRUZ – 08/21/00)

Sen. Joint Res. No. 12-1: A Senate Joint Resolution respectfully requesting the Congress of the United States of America to add Tinian's North Field to the National Park System. (SEN. JOAQUIN G. ADRIANO)

INTRODUCTION OF BILLS AND RESOLUTIONS

Sen. Bill No. 12-78: A Bill for an Act to require an equitable distribution of benefits before the Governor or any other executive branch official can accept any federal grant or program; and for other purposes. (SEN. DAVID M. CING – 09/22/00)

Sen. Bill No. 12-79: A Bill for an Act to designate Coral Garden and Pinatang Park Marine Area and its surrounding waters as Marine Conservation Area; and for other purposes. (SEN. RICARDO S. ATALIG -- 09/22/00)

Sen. Res. No. 12-20: A Senate Resolution to honor the late Honorable Henry Untalan Hofschneider for his many years of dedication to the people of the Commonwealth of the Northern Mariana Islands and the CNMI Public School System. (SEN. JOSE M. DELA CRUZ -- 09/22/00)

Sen. Res. No. 12-21: A Senate Resolution urging the Governor to take immediate action in addressing the crime problem in the CNMI for the safety of visitors and local residents. (SEN. JOSE M. DELA CRUZ -- 09/22/00)

BILL CALENDAR:

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, I move to place House Bill No. 12-188, HD1 under House Communication No. 12-85 and House Bill No. 12-100, HD1, SD2, HD2 under House Communication No. 12-91 on today's calendar for Final Reading.

Several members voiced "no objection".

President Manglona: There being no objection, there are so placed.

Floor Leader Reyes: Mr. President, I move to suspend all pertinent rules in order for us to pass the bills on Final Reading.

Several members voiced "second".

President Manglona: There is no objection. Floor Leader Reyes, please proceed.

HOUSE BILL NO. 12-188, HOUSE DRAFT 1: A BILL FOR AN ACT TO APPROPRIATE FUNDS TO SUPPLEMENT THE FUNDS AVAILABLE FOR THE WEST TINIAN AIRPORT AIRSIDE CAPITAL IMPROVEMENT PROJECT; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and Senator Adriano seconded.

President Manglona: It has been moved and seconded. Is there any discussion?

Several members voiced "ready".

The Chair recognized Senator Maratita.

Senator Maratita: Thank you Mr. President. For the record, let me mention the Fiscal Year 1996-2002 CIP plan... and the remaining, of about \$18 million for Rota and \$18 million for Tinian and \$19 million for Saipan, is agreed by the Senate and House the remaining balance for each Senatorial District shall be satisfied.

President Manglona: Is there any further comment?

Several members voiced “ready”.

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-188, HD1 passes the Senate.

HOSUE BILL NO. 12-100, HOUSE DRAFT 1, SENATE DRAFT 2, HOUSE DRAFT 2: A BILL FOR AN ACT TO APPROPRIATE FUND BALANCES FROM PUBLIC LAW 11-67; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading.

President Manglona: Is there any second?

Vice President Villagomez: Communication number on that one, please?

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: House Communication No. 12- 91. This is the bill that the Senate had previously acted on. If the members can remember it was a reprogramming request for Precinct I in the total amount of \$131,000.00 plus. The Senate acted and offered a floor amendment for that \$1.7 million. At that time, we passed it and the House rejected it and offered two separate bills and sent them to the Senate. This is the one that we have already acted on earlier and this is the second bill. This is the second part.

Senator Cing: So by passing this, Mr. President, this would consolidate....

President Manglona: That’s true. They’re separating 188 and 100 the one that we just passed. Vice President.

Vice President Villagomez: This is what we call a ping pong bill. The House passed it, we made an amendment in the Senate, went down and was amended again by the House and it’s coming out now only for the Precinct I project. The Tinian and Rota section was deleted. I move for the previous question.

Senator Cing: Mr. President, one more. My only concern here is, I am afraid that if we combine them, they are going to look like an amendment from the Senate side and then...

Vice President Villagomez: No, it’s a ping pong. See House Communication No. 12-91. We acted on this bill. It was a House Bill that we amended. We did the amendment or it was crossed out, then it went down to the House and they took it out because they gave the \$6.5 million to Tinian. So, there’s nothing concerning Tinian or Rota on this bill itself.

President Manglona: It was originally introduced.

Senator Adriano: *Sa guiya enao na bill, nai gi alacha ni man debate, pues mamakat ta'lo halom. Pues guiya ha' an humalom este \$6.5 million dollars, Mr. President guato gi gobietno pues ta-tatte ta'lo enao.*

Vice President Villagomez: There's nothing for Tinian and Rota.

Senator Adriano: *Kao man ---- nai ni enao.*

President Manglona: Short recess.

RECESS

President Manglona: We're back to our session. We're still discussing House Bill No. 12-100. Is there any further discussion? Floor Leader.

Floor Leader Reyes: Point of information.

President Manglona: State your point.

Floor Leader Reyes: The Vice President moved for the previous question and I seconded it.

President Manglona: Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-100, HD1, SD2, HD2 passes the Senate.

HOUSE BILL NO. 12-220: A BILL FOR AN ACT TO AMEND TITLE 2 SECTION 5326 OF THE COMMONWEALTH CODE, TO MODIFY QUARANTINE REQUIREMENTS; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and Vice President Villagomez seconded.

President Manglona: Floor Leader, if there's no objection, can we just go from the top down? We're already on the second page. House Bill No. 12-220 is on the second page. Is there any comment? None? Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes

Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-220 passes the Senate.

HOUSE BILL NO. 12-117, HOUSE SUBSTITUTE 1: A BILL FOR AN ACT TO REPEAL TITLE 4 CMC DIVISION 5 CHAPTER 5 IN ITS ENTIRETY, VACATE EO 93-4, 302 (c) AND REPLACE WITH A NEW DIVISION 5 CHAPTER 5 ENTITLED THE ALCOHOLIC BEVERAGE CONTROL ACT OF 2000.

Floor Leader Reyes moved for its passage on Final Reading and Senator Adriano seconded.

President Manglona: Is there any discussion? Senator Atalig.

Senator Atalig: I have a floor amendment to House Bill No. 12-117. This amendment comes from the ABC Administrator, Andrew Salas. I will pass this out for the members to see.

President Manglona: It has been moved and seconded. Copies of the amendment offered by Senator Atalig have just been provided to the members.

Senator Adriano voiced, "second".

President Manglona: Is there any discussion?

Several members voiced "ready".

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, I am concern about the changes of fees in the bill. It appears that there are substantial increases on the fees and I would like to get clarification on whether or not the fees... represented in the case for example of Hafa Adai Hotel. Is that part of the floor amendment?

Senator Atalig: Yes, it's the amendment on page 3, line 9, Classes and Fees. As you can see number 1; 115; 500. You can cross examined between the bill and the amendment that I made.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: I would like clarification again. On your floor amendment on line 3. The \$500 now in reference is to individual licenses like in the case of Hafa Adai that has five different restaurants where they sell alcohol beverages and each one of those would be asked to pay \$500 individually, separately. Because if that's the case, I don't mind increasing the fees. 100% which is \$30.00 right now to \$60.00, but to include to increase \$30.00 to \$500.00 that they required...

President Manglona: *Yahu bai hu* call for a short recess?

President Manglona: Let us resume with our session. We're still discussing House Bill No. 12-117, HS1. I understand that Senator Atalig, the Committee Chairman, has introduced an amendment and it has been seconded. During the recess we have agreed to give more time to the committee to entertain the concerns raised during recess. With that, Floor Leader, can you please make the appropriate motion?

Floor Leader Reyes: Mr. President, I move to recall the motion and to place it still on the Calendar so that we can act on the bill at our next session.

President Manglona: There being no objection, House Bill No. 12-117, HS1, is hereby referred back to the Committee for further deliberation.

Floor Leader Reyes: Point of clarification, Mr. President.

President Manglona: State your point.

Floor Leader Reyes: It is not to be referred to the Committee -- just to leave it on the Calendar...

President Manglona: So that's the action that the Senate will be taking. So, with that, is there any more for Final Reading.

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

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Is there any discussion? Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-149 passes the Senate.

HOUSE BILL NO. 12-157, HOUSE DRAFT 1: A BILL FOR AN ACT TO ESTABLISH A HEALTH CARE SYSTEM REVIEW OMISSION; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Senator Atalig, is this okay? I understand that this is the same bill.

Senator Atalig: No, this is Representative Malua's (Peter) bill, and I think it's similar to the Health Insurance that I have introduced.

President Manglona: Is there any discussion? If none, Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes

President Paul A. Manglona

Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-157, HD1 passes the Senate.

Senator Adriano: ---- *guini, 10:00 o'clock ha' ya esta ma dedeka yo' na talo' 15 minutes ma thousand yo'.*

President Manglona: 15 minutes ha' ta'lo man monhayan hit.

The Chair recognized Floor Leader Reyes.

HOUSE BILL NO. 12-165: A BILL FOR AN ACT TP DESIGNATE BIRD ISLAND AND FORBIDDEN ISLAND AS SANCTUARIES FOR THE CONVSERVATION OF WILDLIFE AND MARINE LIFE; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

The Chair recognized Vice President Villagomez.

Vice President Villagomez: Can I, since we're running against time, ask the members to defer action on this?

President Manglona: No objection, so deferred?

HOUSE BILL NO. 12-171. COMMITTEE SUBSTITUTE 1: A BILL FOR AN ACT TO AUTHORIZE THE NOTHERN MARIANAS HOUSING CORPORATION'S (NMHC) PAYMENT TO MARIANAS PUBLIC LAND TRUST (MPLT) FOR FUND LOANED PURSUANT TO PL NO. 10-39, AS AMENDED, TO BE MADE FROM APPROPRIATIONS FROM THE REVENUES THAT MPLT TURNS INTO THE GENERAL FUND EACH YEAR, AND TO GRANT NMHC A TEN (10) YEAR MORATORIUM ON REPAYING THE SUM OF TEN MILLION (\$10,000,000.00) DOLLARS TO THE CNMI; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and Senator Atalig seconded.

President Manglona: Is there any discussion?

Several members voiced "ready".

President Manglona: Senate Clerk, call the roll, please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-171, CS1 passes the Senate.

HOUSE BILL NO. 12-177 COMMITTEE SUBSTITUTE 1: A BILL FOR AN ACT TOXIC SUBSTANCES EXPOSURE COMPENSATION ACT.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Is there any discussion? None? Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-177, CS1 passes the Senate.

HOUSE BILL NO. 12-141 COMMITTEE DRAFT 2.: A BILL FOR AN ACT TO PROVIDE FOR THE ADMINISTRATION AND COMPENSATION OF MUNICIPAL COUNCILS, AND THEIR MEMBERS OF THE ISLANDS OF SAIPAN AND NORTHERN ISLANDS, ROTA AND TINIAN AND TO AMEND PROVISIONS OF 1 CMC, DIVISION 1, CHAPTER 4; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and Vice President Villagomez and Senator Atalig seconded.

President Manglona: Is there any discussion? Ready?

Senator Atalig: I have a floor amendment here for House Bill No. 12-141.

President Manglona: Are copies being provided?

Vice President Villagomez: Can I just read it.

FLOOR AMENDMENTS
H.B. NO. 12-141, CD2

Offered By: Senator Ricardo S. Atalig
Date: August 17, 2000

TO BE AMENDED AS FOLLOWS:

1. Page 1, line 14, after the word "Act" add the word "to".
2. Page 3, line 7, place a period after the word "Mayor".
3. Page 4, line 32, after the word "by" add the word "the".
4. Page 6, line 21 and 22, delete words "the beginning of the fiscal year following its" and add the word "upon".

Offered by

/s/

Senator Ricardo S. Atalig

President Manglona: Is there any further discussion on the amendment?

Senator Adriano voiced, "ready" and the motion to adopt the floor amendment was carried by voice vote.

President Manglona: We're back to House Bill No. 12-141, CD2 as amended. Is there any further discussion? Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-141, CD2, SD1, passes the Senate.

HOUSE BILL NO. 12-209: A BILL FOR AN ACT TO REPEAL AND REENACT 1 CMC 1606-1616; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Is there any discussion?

Senator Adriano voiced "ready".

The Chair recognized Senator Guerrero.

Senator Guerrero: I like to offer a floor amendment to House Bill No. 12-209.

PROPOSED FLOOR AMENDMENT

RE: H. B. NO. 12-209

1. The Section number regarding the "Effective Date" on page 6 should be changed to "Section 6."
2. On page 6, the provision following the clause "Effective Date.", is amended as follows:

This act shall become law upon its approval by the Governor or upon its becoming law without such approval, provided that the two-year term for elected members of the Youth Congress shall be effective retroactive to the election held on September 18, 2000.

Date: 9-22-00

Offered by: /s/
Ramon S. Guerrero

Several members voiced, "second".

President Manglona: Is there any discussion on the amendment?

Several members voiced “ready” and the motion to adopt the floor amendment offered by Senator Guerrero carried by voice vote.

President Manglona: We’re back to the main motion. No objection?

Senator Guerrero voiced “ready”.

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, House Bill No. 12-209, SD1, as amended passes the Senate.

SENATE BILL NO. 12-29: A BILL FOR AN ACT TO PRESERVE AND DESIGNATE LOT NO. 683 R 01 AT AS NIEVES ON THE ISLAND OF ROTA FOR FUTURE CULTURAL CENTER; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Is there any discussion?

Several members voiced “ready”.

President Manglona: Ready? Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, Senate Bill No. 12-29 passes the Senate.

SENATE BILL NO. 12-30: A BIL FOR AN ACT TO AMEND SECTION 2 (c) OF PL 11-75; AND FOR OTHER PURPOSESE.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Is there any discussion?

Several members voiced “ready”.

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, Senate Bill No. 12-30 passes the Senate.

SENATE BILL NO. 12-31: A BILL FOR AN ACT TO PROMOTE EQUAL ACCESS TO SALVAGE SITES IN THE COMMONWEALTH BY ELIMINATING THE POSSIBILITY OF ONE CONTRACTOR HAVING EXCLUSIVE RIGHTS TO MORE THAN ONE SURVEY/SALVAGE SITE, TO PROMOTE GREATER LOCAL PARTICIPATION IN SURVEY/SALVAGE OPERATIONS; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Is there any discussion?

Several members voiced “ready”.

President Manglona: No discussion? Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, Senate Bill No. 12-31 passes the Senate.

Floor Leader Reyes: Mr. President, there's a request to place on the calendar Senate Bill No. 12-78. I move to go to the Resolution Calendar first and dispose of that and then move back to the Bill Calendar, if there's no objection.

There was no objection.

RESOLUTION CALENDAR

SENATE RESOLUTION NO. 12-17: A SENATE RESOLUTION REQUESTING THE HONORABLE BENJAMIN J. CAYETANO, GOVERNOR OF THE STATE OF HAWAII, THROUGH THE DEPARTMENT OF HEALTH, DIVISION OF ADULT MENTAL HEALTH, TO ASSIST THE COMMONWEALTH OF THE NORTHERN MARIANA ISLAND IN ITS URGENT NEED TO SECURE A FORENSIC PSYCHIATRIST AND TO MAKE RECOMMENDATIONS ON HOW TO IMPROVE THE COMMONWEALTH'S DELIVERY OF MENTAL HEALTH SERVICES FOR VIOLENT MENTAL PATIENTS.

SENATE RESOLUTION NO. 12-18: TO CONVEY THE SINCERE CONDOLENCES AND SYMPATHY OF THE SENATE AND THE PEOPLE OF THE NORTHERN MARIANA ISLANDS TO MRS. GUADALUPE M. CEPEDA AND CHILDREN ON THE UNTIMELY PASSING OF THE LATE HONORABLE LUIS MANIBUSAN CEPEDA AND TO PAY FOND TRIBUTE TO HIS MEMORY.

SENATE RESOLUTION NO. 12-19: A SENATE RESOLUTION TO CONVEY THE SINCERE CONDOLENCES AND SYMPATHY OF THE SENATE AND THE PEOPLE OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO THE BEREAVED FAMILY OF THE LATE HONORABLE WILLIAM B. NABORS, ON THE OCCASION OF HIS UMTIMELY PASSING AND TO PAY FOND TRIBUTE TO HIS MEMORY.

SENATE RESOLUTION NO. 12-20: A SENATE RESOLUTION TO HONOR THE LATE HONORABLE HENRY UNTALAN HOFSCHEIDER FOR HIS MANY YEARS OF DEDICATION TO THE PEOPLE OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS AND THE CNMI PUBLIC SCHOOL SYSTEM.

SENATE RESOLUTION NO. 12-21: A SENATE RESOLUTION URGING THE GOVERNOR TO TAKE IMMEDIATE ACTION IN ADDRESSING THE CRIME PROBLEM IN THE CNMI FOR THE SAFETY OF VISITORS AND LOCAL RESIDENTS.

Floor Leader Reyes moved for the adoption of Senate Resolution 12-17, Senate Resolution No. 12-18, Senate Resolution No. 12-19, Senate Resolution No. 12-20 and Senate Resolution No. 12-21.

Senator Adriano voiced "second".

President Manglona: Is there any discussion on any of the Resolutions?

Senator Atalig: Mr. President, I would like to request the Floor Leader to include also 12-15. This is a House Joint Resolution located on the Resolution Calendar. It's the second time already?

Floor Leader Reyes: 12-15?

Senator Atalig: Yes.

Floor Leader Reyes: I moved that to the appropriate Resolution Calendar. I want to act on it separately.

President Manglona: Can we do that separately? So the motion is for Senate Resolution No. 12-17 through 21. Is there any discussion on those Resolutions?

The motion for the adoption of Senate Resolution No. 12-17 through 21 was carried by voice vote.

President Manglona: Senate Resolution No. 12-17 through Senate Resolution No. 12-21 passes the Senate.

HOUSE JOINT RESOLUTION NO. 12-15: A HOUSE JOINT RESOLUTION TO URGENTLY REQUEST THE GOVERNOR, THE SECRETARY OF LANDS AND NATURAL RESOURCES, THE DIVISION OF PUBLIC LANDS AND THE OFFICE OF THE ATTORNEY GENERAL TO RECONSIDER THE EVICTION NOTICE DATED AUGUST 2, 2000, TO CATTLE RANCHES IN THE MARPI FOREST AREA; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its adoption and Senator Guerrero seconded.

President Manglona: Is there any discussion?

Floor Leader Reyes: Mr. President, this is a Joint Resolution that proposes to evict those cattle ranchers that are currently assigned a parcel of land in Marpi. I understand that the intent of this is to ensure that the land bank with some agreement can be consummated. But I think, Mr. President and members that the ranchers also need to be mitigated. If we're talking about land mitigation program and moving this out in order to allow the land bank to decide an agreement, I think that the ranchers deserve to be mitigated also. I don't think its justice to just tell the ranchers to move out and not designate another land for them. We have been moving them from one area to another already. I disagree that the ranchers should be misplaced. I think that like any other development where there is a mitigation problem that the ranchers also should be mitigated. This is how I feel, I don't think that we should kick them out like we kick people out of apartments and tell them to go find their shelters. This is a bad message to those ranchers and I disagree with the intent of this bill. Unless, someone could come up with an alternate solution to again, place them where they can attend to their cattle and allow them to continue to raise. So, that is not ---.

The Chair recognized Senator Guerrero.

Senator Guerrero: Yes, Mr. President, I am in support with Senator Reyes. We have to look at our people that have invested a lot of money in that cattle ranch. They deserve too, even the recognition, not only because of that, it is a subsistence for their family who -- not only that to assist the public. And here we're trying to entice investors to come into the Commonwealth and we're trying to get our local people evicted rather than enticing the cattle ranchers to be given a loan from CDA to develop the cattle ranch. I hate to say it, but we are defeating the purpose of inviting people from outside of the Commonwealth to do their stand and yet we're not recognizing our local people to develop themselves to be real ranchers and be able to market their meat in Saipan. And I would like to see that this is withdrawn so that the committee can thoroughly look at the advantage and disadvantage of the ranchers. Mr. President. Now, I ask my colleagues to give us, the Saipan Delegation, to look into that matter --- Saipan.

The Chair recognized Senator Atalig.

Senator Atalig: Mr. President, since I was the one who requested this Resolution, I would like to recall it so that we can further discuss it.

President Manglona: I believe it is the consensus of this body to withdraw that.

Floor Leader Reyes: Thank you colleague and members for supporting the withdrawal. Mr. President, without objection from the members, I would like to again, go back to the Bill Calendar.

Senator Adriano: Mr. President, can I ask the Floor Leader to place Senate Joint Resolution No. 12-1. The Senate Joint Resolution is to respectfully requesting the U.S. Congress to add Tinian's North Field to the National Park System.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, can he go ahead and take care of that motion.....

Senator Adriano voiced "I so move".

President Manglona: It has been moved and seconded for the placement of Senate Joint Resolution No. 12-1. The appropriate motion for the passage, please?

SENATE JOINT RESOLUTION NO. 12-1: A SENATE JOINT RESOLUTION RESPECTFULLY REQUESTING THE CONGRES OF THE UNITED STATES OF AMERICA TO ADD TINIAN'S NORTH FIELD TO THE NATIONAL PARK SYSTEM.

Senator Adriano voiced, "I so move".

President Manglona: Is there any discussion?

Several members voiced "ready".

The motion for the adoption of Senate Joint Resolution No. 12-1 carried by voice vote.

President Manglona: Senate Joint Resolution No. 12-1 is hereby adopted by the Senate.

Floor Leader Reyes: Thank you, Mr. President. Without an objection, I would like to move back to the Bill Calendar.

BILL CALENDAR

Floor Leader Reyes: Without objection, I would like to place Senate Bill No. 12-78.

President Manglona: It has been placed. I believe the motion is for its passage.

Floor Leader Reyes: The next motion, Mr. President, again, is to make sure that the suspension of the rules are also included for the passage on Final Reading.

Several members voiced, "no objection".

SENATE BILL NO. 12-78: A BILL FOR AN ACT TO REQUIRE AN EQUITABLE DISTRIBUTION OF BENEFITS BEFORE THE GOVERNOR OR ANY OTHER EXECUTIVE BRANCH OFFICIAL CAN ACCEPT ANY FEDERAL GRANT OR PROGRAM; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and several members seconded.

President Manglona: Is there any discussion?

Several members voiced "ready".

President Manglona: Ready? Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, Senate Bill No. 12-78 passes the Senate. Is there any motion for adjournment, Floor Leader.

Floor Leader Reyes: Before we adjourn, I would like to go to Miscellaneous Business and ask the President if I could make copies...

President Manglona: Before I recognize you Floor Leader, I believe Senator Dela Cruz raised his hand.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS:

Misc. Comm. No. 12-4: August 24, 2000 – From the Sixth Saipan and Northern Islands Municipal Council transmitting certified copies of 6SMC-3RS-14, 6SMC-3RS-15, 6SMC-3RS-16, 6SMC-3RS-17, 6SMC-3RS-18, and 6SMC-3RS-20.

MISCELLANEOUS BUSINESS

Senator Dela Cruz: I just want to take this opportunity to thank all the members for the passage of House Bill No. 12-188. That bill has been long overdue and today, history of the groundbreaking in the Commonwealth. Thirty minutes from now, as you all are aware, they're going to be ground-breaking the Tinian International Airport and I just want to take this opportunity to thank the House of Representatives and my other colleagues here in the Senate for their support of the project. Also, on Senate Resolution No. 12-20, I really appreciated that -- just for that particular Resolution. I yield. Thank you.

The Chair recognized Senator Cing.

Senator Cing: Your Delegation to APIL, which comprise of Senator Dela Cruz and myself, wish to report back to the full Senate that our mission was successful and also we enjoyed ourselves on the island of Palau. On behalf of the Chief of Palau -- the rest of the Leadership of Palau have spoken --- and as usual, I would like to pass these to you as our President always as usual. I always return, I give it to you. Thank you.

President Manglona: Thank you, Senator Cing. First, please provide us with your reports or photographs of your official trips.

Floor Leader Reyes: Thank you, Mr. President. I need to comment on some of the reading materials that I've seen during the passed few days and this makes reference to the situation of our legal counsel, Steve Woodruff. Mr. President almost every session that we have, I would complain about a letter that was supposed to be submitted to the Secretary of Finance with respect to our expenditure. A regulation now takes effect without any input from the Senate, because every time we raised this issue we get informed that the legal counsel is working on it and will be submitted to the Secretary of Finance. To date, I have not received this. This dated back to as far as March of this year. It is now September and the implementation of that regulation went into effect, which makes it compulsive for the Senate to comply with that regulation. We submit extra documents to attach to their terms. Further, I've asked the legal counsel for a draft bill that would give acting authority to people in the absence of the Mayor. I see that this is done in one of the bills that we passed today, but that bill has been in the making for several months already. At one point, I asked him to draft an initiative which would extend the life of those -- of our people who are working as teachers and nurses that fall under the two-year sunset clause of the double dipping situation. To date, I have not received this. I want to say that I think it is appropriate for me to say that this is a very frustrating experience. I don't think that any member of the Senate should be subjected to this kind of delays and inaction by a person who we assumed to be responsible. I understand that not only am I having this problem in the Senate, but I think members have aired also a similar situation.

President Manglona: Floor Leader, I am going to ask that the Rules Committee come up with recommendation on what action we need to take....

Floor Leader Reyes: My point here, Mr. President, with all do respect, I think that at this time even though we're on Miscellaneous, I think it is appropriate that we get a hold on the members of what to do with this. At this time, I ask because I think that to go into a committee to review again, is just going to further the problem and complicate the issue.

President Manglona: Can I hear comments from other members, Senator Guerrero?

Senator Guerrero: Yes, I would like to even make that motion, Mr. President either we would not renew his contract or we have to agree today because we have been running around. I have been running around in the Senate and I have been publicly put on the paper that one reason why I went down to Gualo Rai was because there's no legal counsel there. I've been a Senator for nine (9) months ---- so I would highly suggest that I'll initiate the move and I ask my colleagues to now replace him and I would highly suggest that the Senate considers Mr. Cabrera, the House Legal Counsel, to be transferred to the Senate as the Senate Legal Counsel....

Senator Adriano voiced "second".

President Manglona: It has been moved and seconded. Vice President.

Vice President Villagomez: I was just going to comment, Mr. President. I am also one of the committees that has been very frustrated with the position that we were placed in by our Senate Counsel. But I also came out that he should justify his priorities. I understand that the letter that you signed authorizing him to represent CUC on the Enron issue was for two weeks. The priority should be the Senate. Even if he should be addressing CUC concerns, it's supposed to be the Senate that is the priority. And I believe that we should go with the committee. I think that would be an appropriate action. I know that if we place it on the floor right now, everybody is going to vote not to renew his contract, but with all do respect, I sure would like to give him the opportunity to justify himself to the committee, the members of the Senate. I understand we are frustrated and we should come out with an official position. I know that as I pointed out if we vote on this, I believe everybody is going to...

President Manglona: So, are we going to vote on that?

Senator Guerrero: I already voted on the motion...

President Manglona: So, the motion is not to renew the contract of our Senate Legal Counsel and to negotiate for another legal service.

Senator Adriano: We have to retain him, Mr. President.

Floor Leader Reyes: Can I request for a very short recess?

President Manglona: Short recess.

RECESS

President Manglona: We're back to our session. We're still entertaining the motion on our legal counsel. I believe that the understanding during recess was the motion should state that the legal counsel's contract, Mr. Woodruff, will not be renewed and that further deliberation on the legal counsel's service --- shall be as recommended by the Committee on Rules.

The motion carried by voice vote.

President Manglona: The motion carried.

Vice President Villagomez: This is just a follow up comment. So this is an official notice. If it has a thirty days clause or sixty days clause --- this is the official notice that he

President Manglona: That's correct, Vice President. I guess we will instruct our legal counsel to effectuate a letter for my signature so that I can formally notify him.

Senator Cing: In line with that, Mr. President, because my concern now is, would that replacement be....

President Manglona: Those that Steve was assigned to handle, the new legal counsel will look after. Can we hear a motion for adjournment, please?

Floor Leader Reyes: Mr. President, before we break, can we switch to the new counsel please. I move to adjourn subject to your call.

Several members voiced, "second" and the motion to adjourn carried by voice vote.

President Manglona declared the Senate adjourned subject to the call of the Chair at 10:55 a.m.

Respectfully submitted,



Ramona I. Kapileo
Senate Journal Clerk

Adopted July 25, 2001