

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

Fourth Day

Friday, November 17, 2000

The Senate of the Twelfth Northern Marianas Commonwealth Legislature, Fourth Day, Second Regular Session, 2000, was called to order at 3:10 p.m. in the Senate Chamber, on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

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.

President Manglona: With all nine members being present we have the necessary quorum to conduct today's session.

**READING AND APPROVAL OF THE JOURNAL**

None

**MESSAGES FROM THE GOVERNOR**

Gov. Mesg. No. 12-367: October 19, 2000 – Informing the Legislature that he had signed into law SB 12-2, entitled, "To amend 3 CMC §4322(d) to permanently ban a deported alien from reentry in the commonwealth; and for other purposes." (PL 12-25 – 10/19/00)

Gov. Mesg. No. 12-368: October 19, 2000 – Informing the Legislature that he had signed into law SB 12-4, the "Uniform Comparative Fault Act." (PL 12-26 – 10/19/00)

Gov. Mesg. No. 12-369: October 19, 2000 – Informing the Legislature that he had signed into law HB 12-171, CS1, the "Refinance Act for the MPLT/NMHC Loan Arrangement." (PL 12-27 – 10/19/00)

Gov. Mesg. No. 12-370: October 19, 2000 – PL 11-6 Exemption for Juanny's Hair Salon.

Gov. Mesg. No. 12-371: October 23, 2000 – PL 11-6 Exemption for Pacific Gardenia Hotel.

Gov. Mesg. No. 12-372: October 25, 2000 – Certifying that the position of Dentist within the Rota Health Center is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-373: October 27, 2000 – Certifying that the positions of 2 Fire Cadets within the Rota Department of Public Safety are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-374: October 30, 2000 – PL 11-6 Exemption for the Department of Public Health.

Gov. Mesg. No. 12-375: October 30, 2000 – PL 11-6 Exemption for Dasan Corporation.

Gov. Mesg. No. 12-376: October 30, 2000 – PL 11-6 Exemption for Chalan Kanoa Beach Club Saipan.

Gov. Mesg. No. 12-377: October 30, 2000 – PL 11-6 Exemption for Pacific Management Inc.

Gov. Mesg. No. 12-378: October 30, 2000 – PL 11-6 Exemption for NJ Pro Plus, Inc.

Gov. Mesg. No. 12-379: October 30, 2000 – PL 11-6 Exemption for Herman's Modern Bakery.

Gov. Mesg. No. 12-380: October 30, 2000 – PL 11-6 Exemption for Micronesian Aviation Systems, Inc.

Gov. Mesg. No. 12-381: October 30, 2000 – PL 11-6 Exemption for Delta Trading company Limited.

Gov. Mesg. No. 12-382: October 30, 2000 – PL 11-6 Exemption for Joshua Generation International Academy.

Gov. Mesg. No. 12-383: October 30, 2000 – PL 11-6 Exemption for R&H U.S.A. Inv., Corp., Ltd.

Gov. Mesg. No. 12-384: October 30, 2000 – PL 11-6 Exemption for Hyundai Corporation.

Gov. Mesg. No. 12-385: October 30, 2000 – PL 11-6 Exemption for Korea tourism, Inc.

Gov. Mesg. No. 12-386: October 30, 2000 – Nominating Ms. Remedio S. Mike to serve as a member of the Coastal Resources Management Appeals Board of Directors representing Saipan/Women/Carolinians.

Gov. Mesg. No. 12-387: October 31, 2000 – Informing the Legislature that had signed into law HB 12-157, entitled, "To establish a Health Care System Review Commission, and for other purposes." (PL 12-29 – 10/31/00)

Gov. Mesg. No. 12-388: October 31, 2000 – Informing the Legislature that he had signed into law HB 12-220, entitled, "To amend Title 2 Section 5326 of the Commonwealth Code, to modify quarantine requirements; and for other purposes. (PL 11-29 – 10/31/00)

Gov. Mesg. No. 12-389: October 31, 2000 – PL 11-6 Exemption for ONE EIGHTY O DESIGN CO., LTD.

Gov. Mesg. No. 12-390: November 2, 2000 – Certification/Justification for 9 vacant positions in the Office of the Mayor of Tinian that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-391: November 6, 2000 – Certification for vacant position of Supply Technician I at the Division of Procurement and Supply that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-392: PL 11-6 Exemption for Pacific Micronesia Tours, Inc.

Gov. Mesg. No. 12-393: PL 11-6 Exemption for M.G. Corporation.

Gov. Mesg. No. 12-394: PL11-6 Exemption for Elm's Inc. dba Town & Country.

Gov. Mesg. No. 12-395: PL 11-6 Exemption for Diamond's Hotel.

Gov. Mesg. No. 12-396: PL 11-6 Exemption for Hanmi Hardware.

Gov. Mesg. No. 12-397: November 7, 2000 – PL 11-6 Exemption for Canton Restaurant.

Gov. Mesg. No. 12-398: November 7, 2000 – PL 11-6 Exemption for Whispering Palms School.

Gov. Mesg. No. 12-399: November 8, 2000 – Certification that the position of Alcohol and Drug Free Workplace Coordinator within the Office of Personnel Management is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-400: November 9, 2000 – Informing the Legislature that he had disapproved HB 12-177, CS1, the “Toxic substances Exposure Compensation Act.” (DISAPPROVED ON 12/9/00)

Gov. Mesg. No. 12-401: November 9, 2000 – Certification that 3 positions of Project Development Workers and one position of Administrative Officer within the Office of the Mayor of Rota are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-402: November 9, 2000 – Certification that the position of special Assistant for Environmental Policy within the Office of the Governor is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-403: November 13, 2000 – PL11-6 Exemption for Golden Eagle Corporation (GEC).

Gov. Mesg. No. 12-404: November 13, 2000 – PL 11-6 Exemption for New century Development Inc., dba Far East Finance.

Gov. Mesg. No. 12-405: November 13, 2000 - PL 11-6 Exemption for Win Guide Color Printing Co., Ltd.

Gov. Mesg. No. 12-406: November 13, 2000 – PL 11-6 Exemption for international Insurance and Tour Agency.

Gov. Mesg. No. 12-407: November 14, 2000 – Informing the Legislature that he had disapproved HB 12-279, CS1, entitled, “To repeal and re-enact PL 11-79 Section 6(c)(2); and for other purposes. (DISAPPROVED ON 12/14/00)

Gov. Mesg. No. 12-408: November 14, 2000 – Informing the Legislature that he had signed into law SB 12-80, entitled, “To amend certain provisions of PL 12-19, known as the “Domestic and Family Violence Prevention Act of 2000”; and for other purposes.” (PL 12-30 – 12/14/00)

Gov. Mesg. No. 12-409: November 14, 2000 - Certification that 4 positions within the Tinian Health Center are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-410: November 15, 2000 – Certification for 4 vacant positions within the Department of Lands and Natural Resources that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-411: November 15, 2000 – PL 11-6 Exemption for Carnot Air Conditioning and Refrigeration.

Gov. Mesg. No. 12-412: November 15, 2000 – PL 11-6 Exemption for Pacific communications company dba PAC.COM.

Gov. Mesg. No. 12-413: November 15, 2000 – PL 11-6 Exemption for Pinoy Express (PX-Saipan), Inc.

Gov. Mesg. No. 12-414: November 15, 2000 – PL 11-6 Exemption for Reyes Planning & Consulting Firm.

President Manglona: Is there any comment from the members? None?

#### **COMMUNICATIONS FROM THE JUDICIARY**

None

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS

None

HOUSE COMMUNICATIONS

Hse. Comm. No. 12-149: Informing the Senate that the House accepted the Senate amendments to HB 12-231, CD1, entitled, "A Bill for an Act to amend Title 1, Div. 8, part 3, chapter 7, § 8402 of the Commonwealth Code; and for other purposes."

Hse. Comm. No. 12-150: Returning without amendment SB 12-80, entitled, "A Bill for an Act to amend certain provisions of PL No. 12-19, known as the Domestic and Family Violence Prevention Act of 2000."

Hse. Comm. No. 12-151: Returning without amendment SJR 12-2, entitled, "A Senate Joint Resolution respectfully requesting the United States Congress to authorize the appropriation of funding necessary to reconstruct, rehabilitate and repair the Breakwater protecting San Jose Harbor at Tinian, Northern Mariana Islands." (TRANSMITTED ON 11/8/00)

Hse. Comm. No. 12-152: Informing the Senate that the House voted to recall from the Governor HB 12-177, CS1, entitled, "Toxic Substances Exposure Compensation Act."

Hse. Comm. No. 12-153: Informing the Senate that the House voted to recall from the Governor HB 12-209, SD1, entitled, "To repeal and reenact 1 CMC 1601-1616, and for other purposes."

Hse. Comm. No. 12-154: Informing the Senate that the House voted to recall from the Governor HB 12-279, CS1, entitled, "To repeal and re-enact PL 11-79 Section 6(c)(2); and for other purposes."

Hse. Comm. No. 12-155: Transmitting for Senate action HB 12-174, CD2, HD2, entitled, "To further amend the Commonwealth Auditing Act of 1983 for the purpose of addressing the section of the 'Nonresident Worker Extension Act' affecting the ability of the Office of the Public Auditor to hire nonresident professionals after September 30, 2000, and for other purposes."

Hse. Comm. No. 12-156: Transmitting for Senate action HB 12-226, CS1, entitled, "A Bill for an Act authorizing the use of and granting legal effect to electronic records and signatures and for other purposes."

Hse. Comm. No. 12-157: Transmitting for Senate action HB 12-270, entitled, "A Bill for an Act to amend title 9 Section 1304 of the Commonwealth code, prohibiting the seizure of a persons driver's license prior to conviction for a crime or infraction."

Hse. Comm. No. 12-158: Transmitting for Senate action HB 12-277, entitled, "A Bill for an Act to ensure that the students of the Commonwealth receive quality school services, to approve the amendments of the Board of Education and the Public School System policies and regulations reclassifying counselors as certified employees and changing counselors' salaries; and for other purposes."

Hse. Comm. No. 12-159: Transmitting for Senate action HB 12-147, CD1, HD1, entitled, "A Bill for an Act to amend 1 CMC Section 8273; and for other purposes."

President Manglona: Is there any comment?

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, it is not on today's House Communication, but I am not sure if this is appropriate for me to move for a recall of the bill that was sent out to the Governor. I noticed that House Communication No. 12-152 the Toxic Subsistence Exposure Compensation Act has been voted by the House to recall. I wonder if the Senate is willing to act also to recall this bill. (See Governor's Message 12-152)

The Chair recognized Vice President Villagomez.

Vice President Villagomez: Thank you, Mr. President. I just want to ask the Chair regarding Governor's Communication No. 12-152 and that's on the recall by the House. Did the Chair receive any communication from the Administration as to why it is recommended for recall? And, also at the same time, I see on the Bill Calendar that we have House Bill No. 12-209 to recall from the Governor. Why are we recalling these, or are we contemplating on recalling these two legislations?

President Manglona: Floor Leader Reyes, can you respond to that?

Floor Leader Reyes: Just a point of information, Mr. President. Mr. President in addition to the two bills mentioned by the Vice President, I also noticed that House Communication No. 12-153 and 154 are actions by the House to recall those two. So that's a total of three bills that had been recalled by the House recently. Again, I join the Vice President in asking the Chairman if there has been any communication from the House to request a recall by the Senate. I will answer the question by the Vice President with respect to House Bill No. 12-209 that we are contemplating of recalling in this session, and that is the Youth Congress Act. There are several concerns raised by the Governor with respect to this bill. And the staffers from the Bureau (LB), who are involved in coordinating the bill, also requested that we recall this so that those concerns can be corrected. One of the issues that the Governor raised is with respect to the age limitation in the bill. As you know, the Youth Congress has a certain age qualification. That is the problem with the bill. The other thing is the two-year term. The request for the term to increase from one year to two years is also a problem. These are some of the things that can be easily corrected by recalling the bill rather than to allow it to go through and be vetoed by the Governor. With respect to the other three recalled bills, I have to say that I have absolutely no knowledge of what they are all about, except what we have read in the paper on the Toxic Substance Exposure Compensation Act, which the Governor has raised. I understand that the limitation for someone to sue the government does not have a limit and so that is an issue in this particular bill.

Vice President Villagomez: So, we will be voting on these three pieces of legislation because the House voted to recall them, and we have not had any communication from the Governor yet. As you mentioned, Floor Leader, you referred to the media report that the Governor had issued a statement about his concerns with the legislation. I believe what happened last month or couple of months ago with one of the legislation was that he asked us to recall and then he finally decided that he was going to sign the bill, but there was no formal request to this body. All that I am saying is, if we are going to act on the legislation, if we are going to recall them, then we should have a reason why are we recalling the legislation. Is it because we have made a mistake or the Governor feels that we should change it? But if we are going to change it, what are we going to change it to? I still believe that we should have that communication with the Administration rather than to act on these three legislation because the House has acted upon them. I think that we should get a written clarification from both the House and the Administration regarding the move for recall.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, I guess it is not in the communication, but I have just been informed that House Communication No. 12-152 on House Bill No. 12-177, and House Communication No. 12-154 on House Bill No. 12-279, had already been vetoed by the Governor. So the only one that has not been acted upon by the Governor is House Communication No. 12-153 which is House Bill No. 12-209. This is the Youth Congress bill.

Vice President Villagomez: Mr. President, on House Bill No. 12-177, I believe the Governor will be providing us information as to why he vetoed it. If we are just going to act on those two other legislation because, like I said, the House has agreed to recall them--I sure would like to get more information to base my decision on. As of right now, I do not think we should just follow the House's action for recall just because they had done so.

President Manglona: Thank you, Vice President Villagomez. Floor Leader, I guess the only pertinent recall we have now is 12-153. Is there a motion to recall that, Floor Leader? Before I recognize Floor Leader Reyes, let me recognize for the first time, Chairman Adriano.

Senator Adriano: Mr. President, every time we come about, the House and the Senate--when we override a Governor's veto, the House never act on their part. Now, just because the House had recalled these bills, the Senate will act immediately. I wonder, Mr. President, if that working relation between the House and the Senate is fair. And I think it is not fair. Thank you, Mr. President.

The Chair recognized Senator Guerrero.

Senator Guerrero: Thank you, Mr. President. I am concern mostly on House Communication No. 12-154.

President Manglona: Senator Guerrero, I understand that has been vetoed already.

Senator Guerrero: Yes, I understand that, but my concern here is -- I think the reason for the veto according to the media is the age barrier for one and the other one is on the two years. And as you know, I submitted an amendment for the two years because of the time. I am very reluctant on how the House operates when the Youth Congress is located in the Legislative Bureau and they came out with legislation such as the one they have just vetoed and in the eyes of public...

President Manglona: Let me just make this clear. You are talking about 153 and that has not been vetoed yet. That, I believe, is the motion that Floor Leader...

Senator Guerrero: Under Youth Congress.

President Manglona: Yes, that is still there.

Senator Guerrero: That is what I am saying. I know that, but since you mentioned earlier that it has been vetoed--I made an error on the number, it should be 153. My concern here, Mr. President, is that I think we are all old enough and the House should realize that and I will not compete with the House next time because I did this on purpose--to make the amendment. And as such, since the Youth Congress Office is located within the Bureau, they should have consulted them. The people are looking at us like immature people who make legislation and then ask for a recall. And when house members introduced the legislation, they should have consulted with the Youth Congress. The Youth Congress may have a different opinion this recall. As a Senator, I made myself looked like a fool, because I made an amendment to this legislation on the two-year limitation from the House mistake. I don't think I am going to make another House mistake being a Senator. I want this for the record because I totally agree with Senator Adriano that, if they want us to work closely with each other, then let us work together, but with the correct information and correct legislation. So, when it is transmitted to us we can act maturely. We do not want the people to look at us as people that do not know how to make legislation by recalling the bills back. Thank you, Mr. President.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, I move to recall from the Governor House Bill No. 12-209, SD1, under House Communication No. 12-153.

President Manglona: Is there any second? There is a motion to recall House Bill No. 12-209.

Floor Leader Reyes: Mr. President, this request for recall, I understand the problem that we have with the House of Representatives, and I am not going to venture into elaborating that differences. But this is a request made by the Youth Congress.

Vice President Villagomez: Can we have the copy of the request? We're going on a recess, Mr. President?

Floor Leader Reyes: I would like to request for a short recess, Mr. President.

President Manglona: Short recess.

The Senate recessed at 3:15 a.m.

RECESS

The Senate reconvened at 3:23 p.m.

President Manglona: Let us resume our session after a brief recess. We are still discussing the recall of House Bill No. 12-209, SD1.

Floor Leader Reyes: Mr. President, I wish to restate again the motion, and if there is no second, then I will withdraw that motion personally. I would like to make a motion to recall House Bill No. 12-209, SD1, from the Governor so that appropriate correction can be made to satisfy the concern of the Governor.

President Manglona: There's a motion, is there any second?

Senator Dela Cruz voiced, "second".

President Manglona: Is there any discussion?

Several members voiced "ready".

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, again, I ask the members to support the future leaders of the Commonwealth. This is something that we have practiced preaching not just in campaigns, but also in media releases and in interviews by the media. We have always expressed support for the future leaders of the Commonwealth. What could be more fitting than to demonstrate our support of the future leader of the Commonwealth by assisting them on legislation, which directly affects them? This piece of legislation is important for the Youth Congress and they have submitted a resolution. In fact, asking support when they passed that resolution every member was given copies of that resolution. I ask that each of these members here vote their conscience in addressing the concern of the future leaders of the Commonwealth. Thank you.

The Chair recognized Vice President Villagomez.

Vice President Villagomez: Yes, we all want to set an example to our youth and we always say that the youth is the future of the CNMI. But the one thing I don't want to give them as an example is that if you do not have any supporting document on the reasoning why should you vote for or against a legislation. I think that we should relay the message to the Youth Congress, to the House, to the Senate members and to the Administration. We have always been trying to relay on this one that whenever there are differences we should sit down and communicate of what is going on. We should know what is it that the Administration is not supporting. Why does he want a recall of the said legislation? Like I said, it was mentioned that the Administration have come out through the media to relay his position on the other legislation. We are supposed to have that open communication between the Administration and the Legislature, the House and the Senate, and we should provide that same example to the Youth Congress, and that is if you have something in front of you, justify your position if it will be a yes or a no. Then you vote on that conscience. I am not sure that we should relate this example down to the Youth Congress that just because we read it in the media, just because somebody told us that this is the position--we should have something in writing for me to decide on. I am not going to support a recall. Thank you.

The Chair recognized Senator Maratita.

Senator Maratita: Thank you, Mr. President. I believe that we have enough discussion on this. Let us take a vote.

Senator Adriano: Second, let us vote on that.

President Manglona: There is a motion for the previous question. And there being no objection, Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Adriano: Mr. President, since there's no official communication, written communication from the Governor, I vote "no".

Senator Joaquin G. Adriano	No
Senator Ricardo S. Atalig	No
Senator David M. Cing	No
Senator Jose M. Dela Cruz	No
Senator Ramon S. Guerrero	No
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	No
President Paul A. Manglona	No

Seven (7) members voted no and two members voted yes.

President Manglona: By a vote of seven (7) No, and two (2) yes, the motion to recall House Bill No. 12-209 is hereby defeated.

#### WASHINGTON REPRESENTATIVE'S COMMUNICATIONS

None

#### STANDING COMMITTEE REPORTS

Standing Comm. Report No. 12-17: From the Committee on Judiciary, Government and Law reporting on HB 12-064, CD1, entitled, "A Bill for an Act 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."

Floor Leader Reyes moved for its adoption, and Senator Dela Cruz and Senator Atalig seconded.

President Manglona: Is there any discussion?

Several members voiced "ready".

The motion to adopt Standing Committee Report No. 12-17 was carried by voice vote.

President Manglona: Standing Committee Report No. 12-17 is hereby adopted by the Senate.

#### SPECIAL/CONFERENCE COMMITTEE REPORTS

None

#### UNFINISHED BUSINESS

None

#### PREFILED BILLS AND RESOLUTIONS

Sen. Res. No. 12-23: A Senate Resolution waiving the 30-day requirement pursuant to Section 16 of Public Law No. 11-3, the General Obligation Bond Law, for the transmittal to the presiding officers of the CNMI Legislature, at least thirty days prior to delivery of the bonds, notes, or other evidences of indebtedness to the purchaser of such bonds, certified copies of the Commonwealth Development Authority (CDA) resolution authorizing issuance or approving other action together with copies of all documents or drafts authorized by such resolution. (SEN. PAUL A. MANGLONA – 11/15/00)



Sen. Res. No. 12-24: A Senate Resolution recognizing and commemorating the support, friendship and good working relationship established by Mr. L. Ray Day, chair for the State of Arizona employer Support of the Guard and Reserve with ESGR Guam/CNMI Committee. (SEN. PAUL A. MANGLONA – 11/17/00)

Sen. Legislative Initiative No. 12-2: A Senate Legislative Initiative to propose the making of a Constitutional amendment to change the current mechanism for Attorney general selection in the Commonwealth of the Northern Mariana Islands. (SEN. JOAQUIN G. ADRIANO – 11/17/00)

### INTRODUCTION OF BILLS AND RESOLUTIONS

Sen. Bill No. 12-81: A Bill for an Act to Governing the Maintenance and release of Patient Health care Information; and for other purposes. (Sen. R.S. Atalig)

### BILL CALENDAR

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Without objection by the members, Mr. President, I would like to move to the Resolution Calendar so we can dispose of the resolution for CDA.

President Manglona: There being no objection, we will proceed to the Resolution Calendar.

### RESOLUTION CALENDAR

SENATE RESOLUTION NO. 12-23: A SENATE RESOLUTION TO WAIVE THE 30-DAY REQUIREMENT TO SECTION 16 OF PL 11-3, THE GENERAL OBLIGATION BOND, FOR THE TRANSMITTAL TO PRESIDING OFFICERS OF THE CNMI LEGISLATURE, AT LEAST 30 DAYS PRIOR TO DELIVERY OF THE BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS TO THE PURCHASER OF SUCH BONDS, CERTIFIED COPIES OF CDA RESOLUTION AUTHORIZING ISSUANCE OR APPROVING OTHER ACTION TOGETHER WITH COPIES ALL DOCUMENTS OR DRAFTS AUTHORIZED BY SUCH RESOLUTIONS.

SENATE RESOLUTION NO. 12-24: A SENATE RESOLUTION RECOGNIZING AND COMMEMORATING THE SUPPORT, FRIENDSHIP AND GOOD WORKING RELATIONSHIP ESTABLISHED BY MR. L RAY DAY, CHAIR FOR THE STATE OF ARIZONA EMPLOYER SUPPORT OF THE GUARD AND RESERVE WITH ESGR GUAM/CNMI COMMITTEE.

Floor Leader Reyes moved for the adoption of Senate Resolution No. 12-23 and Senate Resolution No 12-24, and both Senator Guerrero and Senator Dela Cruz seconded.

President Manglona: Is there any discussion?

Vice President Villagomez: Thank you, Mr. President. Senate Resolution No. 12-23 is a very important resolution, can we have a roll call vote on that?

President Manglona: If there's no objection, we will have a roll call vote on Senate Resolution No. 12-23. But, before we do that, is there any comment or questions on the two resolutions? For the record, I would like to point out that before the session during the discussion of 12-23, the Legal Counsel responded to questions regarding appropriations made by the Legislature. Previous appropriation measures, or in the future--that the documents will in no way tie the hands of this Legislature as far as appropriating infrastructure projects or the distribution of the funding. So the Legal Counsel has informed us that he has a legal opinion out, and he will be preparing it for the members and that there is no problem as far as appropriation is concern. When the legal opinion is out, I request that it be made part of the records for this session. Is there any other member?

Senator Dela Cruz: Yes, Mr. President. The Executive Director from CDA is in the gallery, and she commented on this particular resolution to that effect. This is just for the record. We just want to make sure that it is well recorded.

President Manglona: I know the motion is for the passage of Senate Resolution No. 12-23 and 12-24. Should we separate the vote on that or should we just vote on the two resolutions?

Floor Leader Reyes: Mr. President, without objection, again, if we vote by voice vote and we see that there's a split then we call the roll. I recommend that we call the roll. I don't expect anyone to vote against this resolution and delay further the approval of this resolution. I move that we just vote on the two resolutions by voice, unless there's objection from some members who are going to vote against it.

Vice President Villagomez: No one is going to vote against. I don't know, but I am not going to vote against it. I am saying that we should cast our vote since this is a very important position that we are taking.

The Chair recognized Senator Cing.

Senator Cing: In that case, Mr. President, maybe I can ask my colleagues here to follow me this time.

President Manglona: I am going to ask that a roll call vote be made because of the significance of the bond instrument. 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 Resolution No. 12-23 and Senate Resolution No. 12-24 are hereby adopted by the Senate. We are back to the Bill Calendar.

The Chair recognized Floor Leader.

Floor Leader Reyes: Mr. President, clarification. Both resolutions? I thought that was for Senate Resolution No. 12-23. Because of the importance of this particular bill, the significance of the bill is separated from the vote for Senate Resolution No. 12-23 and we passed that by roll call. Now, I am making a motion for Senate Resolution No. 12-24, also to be made by roll call vote. My original motion for voice approval was disapproved by the President and roll call vote was made for Senate Resolution No. 12-23. We have not acted on Senate Resolution No. 12-24.

President Manglona: There seemed to be some misunderstanding on my part. So, let me make it clear that it was my understanding that it was for both. Then, if the roll call vote that we did was for Senate Resolution No. 12-23 and we will be entertaining Senate Resolution No. 12-24, then, if there's no objection, let me declare at this time that by a vote of nine to zero, (9-0) Senate Resolution No. 12-23 was adopted by the Senate. Now I would take a motion for the adoption of Senate Resolution No. 12-24.

Floor Leader Reyes: Thank you, Mr. President. The motion was made that we vote by the call of the roll.

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 Resolution No. 12-24 is hereby adopted by the Senate. With that we have completed our Resolution Calendar. If there's no objection we are back to our Bill Calendar.

### BILL CALENDAR

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes moved to suspend all pertinent rules for the passage of the bills listed on the calendar for action. Several members seconded and the motion was carried by voice vote.

HOUSE BILL NO. 12-285, SENATE DRAFT 1: A BILL FOR AN ACT TO EXTEND THE PRIVILEGE OF HAVING NON-RESIDENT WORKERS WITH SPECIAL SKILLS AND QUALIFICATION FILL HARD TO FILL VACANT POISTIONS WITHIN THE CNMI GOVERNMENT; 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 Atalig: Thank you, Mr. President. On page 3, line 30, under the Commonwealth Utility Corporation--during our meeting together with the committee, I believe we discussed the extension for five years. And the way I see it here, they've been given only two years. I don't know but Floor Leader Reyes was there when the CUC recommended to extend it to five years. If that is correct, then I would like to make an oral amendment to change the "2 years" to "5 years".

Both Vice President Villagomez and Senator Dela Cruz voiced, "second".

President Manglona: It has been moved and seconded. Is there any discussion on the oral amendment?

Senator Adriano: Ready.

President Manglona: Senator Atalig, can you repeat the amendment please?

Senator Atalig: On page 3, line 30, under Commonwealth Utility Corporation, I reads, "This subsection shall expire on September 30, 2002". Instead of 2002, I am making a motion to extend it to 2005.

Vice President Villagomez: On page 4, the contract is still on 2002?

Senator Atalig: Also on page 4, it should be consistent with the first motion. It should also be 2005.

Vice President Villagomez: Second.

President Manglona: Is there any discussion? There's a motion for the previous question.

The motion on the oral amendment offered by Senator Atalig was carried by voice vote.

President Manglona: The amendment offered by Senator Atalig passes the Senate. We are still under discussion.

Floor Leader Reyes: Mr. President, this is just for the record. I would like to say that I was there during the meeting and it was agreed that it should be extended to five years. As you know, Steve Mackenzie is no longer with us, and the appropriate correction was made. It was not something that was intentional.

President Manglona: Is there any further discussion?

Senator Adriano: Ready.

President Manglona: Senate Clerk, call the roll please for House Bill No. 12-285, SD1, as amended.

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. 12-285, SD1, as amended, passes the Senate.

Floor Leader Reyes: Mr. President, this is just a comment on the bill. I know that during our last session, I introduced a floor amendment to remove the requirement for manpower service recruitment. I received several calls expressing concerns over the change of positions I had on this issue. But, I would like us to go on record saying that this has nothing to do with how I feel about the manpower recruitment service. But rather what is in the best financial interest of the government and the people of the Commonwealth with the dwindling resources that we have at the present time and the costs associated with direct hiring. It can accelerate draining our resource and that is something that we don't need at the present time. So, that is my justification for supporting the passage of this bill.

President Manglona: Thank you, Floor Leader Reyes. We are still under Final Reading.

**HOUSE BILL NO. 12-64, COMMITTEE DRAFT 1: A BILL FOR AN ACT T MAKE MEMBERS OF THE CPA POLICE ENFORCEMENT OFFICERS FOR PURPOSES OF THE COMMONWEALT WEAPONS ACT CONTROL, IN CLUDE THEM FROM DEATH BENEFITS; AND FOR OTHER PURPOSES.**

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

President Manglona: It has been moved and seconded under discussion, Senator Dela Cruz.

Senator Dela Cruz: Mr. President, I have a floor amendment here that has been distributed to all the members. I want to make a motion to place this on the floor today.

**FLOOR AMENDMENT ON HOUSE BILL NO. 12-64**  
**OFFERED BY: Sen. Jose M. Dela Cruz**  
**DATE: November 17, 2000**  
**SESSION: FOURTH DAY, SECOND REGULAR, 200**

**TO BE AMENDED AS FOLLOWS:**

On page 2, line 11, add the word “Criminal” after the word “Immigration” and before the word “Enforcement.”

And on page 2, line 15, add the word “Criminal” after the word “Immigration” and before the word “Enforcement.”

Offered By: \_\_\_\_\_/s  
Senator Jose M. Dela Cruz

Both Vice President Villagomez and Senator Adriano voiced, “second”.

President Manglona: I believe all the members have copies of the floor amendment offered by Senator Dela Cruz. Is there any discussion?

Senator Adriano voiced, “ready” and the motion to amend the floor amendment offered by Senator Dela Cruz was carried by voice vote.

President Manglona: We are still under discussion. Is there any other member? If there is none, Senate Clerk, call the roll please on House Bill No. 12-64, CD1, SD1, as amended.

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. 12-64, CD1, SD1, as amended, passes the Senate.

Floor Leader Reyes: Mr. President, consistent with the desire of the Leadership, unless changed recently, I move for recess subject to your call.

Senator Atalig voiced “second”.

Senator Adriano: Mr. President, can we go back to First Reading?

President Manglona: Floor Leader Reyes, with your patience and understanding....

Senator Adriano: No objection, Mr. President. I would like to place Senate Legislative Initiative No. 12-2 for First Reading only and that is a motion, Mr. President. This has something to do with the Attorney General. Could I do that or Floor Leader Reyes?

President Manglona: Let me just ask, is that Senate Bill No. 12-24?

Senator Adriano: This is Senate Legislative Initiative No. 12-2.

Both Floor Leader Reyes and Senator Adriano voiced, “no objection”.

President Manglona: Is that for First Reading?

Senator Adriano: First Reading only.

Floor Leader Reyes: This is to place it on the Calendar, Mr. President.

President Manglona: If there is any objection, let me just call for a very short recess.

**RECESS**

President Manglona: We are back to our regular session.

Floor Leader Reyes: Mr. President, I withdraw my motion to adjourn because there's a change not made in the Leadership meeting. Mr. President, I move for the passage on First Reading, Senate Legislative Initiative No. 12-2.

**SENATE LEGISLATIVE INITIATIVE 12-2: A SENATE LEGISLATIVE INITIATIVE TO PROPOSE THE MAKING OF A CONSTITUTIONAL AMENDMENT TO CHANGE THE CURRENT MECHANISM FOR ATTORNEY GENERAL SELECTION IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.**

Both Senator Guerrero and Senator Atalig voiced, "second".

President Manglona: The motion has been seconded for the passage of Senate Legislative Initiative No. 12-2 on First Reading. Is there any discussion?

Senator Guerrero voiced "ready".

Floor Leader Reyes: Mr. President, I just want to ask the author, for the record, to elaborate the intent of the bill.

Senator Adriano: The intent of the bill, Mr. President is on page 2 and that is to require a person under the position of the Attorney General to become a non-partisan elected position, and the salary is hundred and thirty thousand.

Vice President Villagomez: And he will be conducting a public hearing on this Initiative.

President Manglona: Thank you, I hope that addresses your question, Floor Leader Reyes.

The motion for the passage of Senate Legislative Initiative No. 12-2 was carried by voice vote.

President Manglona: For First Reading, we just passed Senate Legislative Initiative No. 12-2. We are back to our Final Reading, Floor Leader Reyes.

**HOUSE BILL NO. 12-258: A BILL FOR AN ACT TO SALES OF PRIVATE LAND TO CNMI GOVERNMENT FOR PUBLIC PURPOSE, THE TAX OF THE AMOUNT PAID SHALL BE 100% TAX FREE 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, "second".

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. 12-258, passes the Senate.

HOUSE BILL NO. 12-208, COMMITTEE DRAFT 1: A BILL FOR AN ACT TO PROVIDE FOR LICENSING AND REGULATION OF FINANCE COMPANIES, OTHER THAN BANKS, MAKING CONSUMER LOANS; 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: 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. 12-208, CD1, passes the Senate on Final Reading.

Floor Leader Reyes: Now, Mr. President, I move for recess.

President Manglona: Floor Leader, I understand that there is one more. Senate Bill No. 12-24 is on our Second and Final Reading Calendar.

Floor Leader Reyes: May I request for a short recess?

President Manglona: Short recess.

**RECESS**

President Manglona: We are back to our session.

SENATE BILL NO. 12-24, SENATE SUBSTITUTE 1 HOUSE COMMITTEE SUSBTITUTE 1 HOUSE DRAFT 1: A BILL FOR AN ACT CONCERNING THE QUALIFICATION OF THE ATTORNEY GENERAL; AND FOR OTHER PURPOSES. (Acceptance of House amendments)

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. 12-24, SS1, HCS1, HD1, passes the Senate.

HOUSE BILL NO. 12-202 SENATE DRAFT 1, HOUSE DRAFT 1: A BILL FOR AN ACT TO REAPPROPRIATE FUND BALANCES FROM PUBLIC LAW 9-24; TO AMEND PUBLIC LAW 11-7 (RE-APPROPRIATE CIP FUNDS); 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: 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. 12-202, SD1 HD1, passes the Senate.



Floor Leader Reyes moved for recess subject to the call of the Chair. Several members seconded and the motion to adjourn was carried by voice vote.

President Manglona declared the Senate adjourned subject to the call of the Chair at 4:20 p.m.

Respectfully submitted,



Ramona I. Kapileo  
Senate Journal Clerk

Adopted: July 25, 2001