

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

Fifth Day

Wednesday, November 22, 2000

The Senate of the Twelfth Northern Marianas Commonwealth Legislature, Fifth Day, Second Regular Session, 2000, was called to order at 10:00 a.m., in the Senate Chamber, Capitol Hill, Saipan, MP 96950.

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

A moment of silence was observed.

The Senate Clerk called the roll and all nine members were recorded present.

President Manglona: A quorum is present for the day's session.

READING AND APPROVAL OF THE JOURNAL

None

MESSAGES FROM THE GOVERNOR

Gov. Mesg. No. 12-415: November 17, 2000 – PL 11-6 Exemption for Saipan jet-Ski Club.

Gov. Mesg. No. 12-416: November 17, 2000 – PL 11-6 Exemption for Mirage corporation dba Mirage Massage Parlor.

Gov. Mesg. No. 12-417: November 17, 2000 – PL 11-6 Exemption for Carnot Air Conditioning and Refrigeration.

Gov. Mesg. No. 12-418: November 21, 2000 – Informing the Legislature that he had disapproved HB 12-141, the "Local law and Municipal ordinance Act of 2000." **(DISAPPROVED ON 11/21/00)**

Gov. Mesg. No. 12-419: November 21, 2000 – Informing the Legislature that he had disapproved HB 12-209, SD1, the "Youth Congress Revision Act of 2000." **(DISAPPROVED ON 11/21/00)**

There was no discussion raised.

COMMUNICATIONS FROM THE JUDICIARY

None

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS

None

HOUSE COMMUNICATIONS

None

WASHINGTON REPRESENTATIVE'S COMMUNICATIONS

None

STANDING COMMITTEES REPORTS

None

SPECIAL/CONFERENCE COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

PREFILED BILLS AND RESOLUTIONS

None

INTRODUCTION OF BILLS AND RESOLUTIONS

Senate Bill No. 12-82: A Bill for an Act to amend 1 CMC, Division (a) 8247(a); and for other purposes.
(SEN. RICARDO S. ATALIG)

Sen. Bill No. 12-83: A Bill for an Act to amend 1 CMC § 7404(d); and for other purposes.
(SEN. PAUL A. MANGLONA)

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Reyes: Thank you, Mr. President. Mr. President, without objection from the members, I would like to place House Bill Nos. 12-246, CS1, SS1, and 12-199, CD1, SS1, on today's Calendar for Second and Final Reading.

The motion was seconded.

Senator Adriano: Can I have the number for the second bill?

Floor Leader Reyes: House Bill No. 12-199, Committee Draft 1, Senate Substitute 1.

Senator Adriano: Mr. President, I would like to move that House Bill No. 12-199, CD1, SS1, be passed on First Reading only.

President Manglona: The motion still stands for the placement of those two bills and there was no second. Senator Adriano, I believe it's your time to amend that further and –

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, Senator Guerrero seconded the motion.

President Manglona: Any discussion on the motion to place those two bills as offered by the Floor Leader?

Senator Adriano: Well, the motion on the two bills, Mr. President, is for Final Reading, namely 12-246 and 12-199. I also moved to place on First Reading only House Bill No. 12-199.

President Manglona: So, obviously based on that motion--it seems that we only need one motion.

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

President Manglona: Floor Leader?

Floor Leader Reyes: Mr. President, I think that we should dispose of my motion first and if Senator Adriano wishes to change the placement of House Bill No. 12-199 on Final Reading, he can at that time move to change that.

President Manglona: Let me call for a very short recess.

The Senate recessed at 2:55 p.m.

RECESS

The Senate reconvened at 2:58 p.m.

President Manglona: We are back to our session. Any discussion on the placement of House Bill No. 12-199, CD1, SS1.

The motion to place House Bill Nos. 12-199, CD1, SS1, and 12-246, CS1, SS1, on the Final Reading calendar was carried by voice vote.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Thank you, Mr. President. I move to suspend pertinent rules to allow us to pass the bills on Final Reading.

The motion was seconded and carried by voice vote.

HOUSE BILL NO. 12-246, COMMITTEE SUBSTITUTE ONE, SENATE SUBSTITUTE ONE: A BILL FOR AN ACT TO MAKE APPROPRIATIONS FOR THE OPERATION AND ACTIVITIES OF THE GOVERNMENT OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, ITS AGENCIES, INSTRUMENTALITIES, AND INDEPENDENT PROGRAMS AND TO PROVIDE BUDGET AUTHORITY FOR GOVERNMENT CORPORATIONS FOR FISCAL YEAR 2001; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading, and the motion was seconded.

President Manglona: Is there any discussion? Senator Dela Cruz?

Senator Dela Cruz: Mr. President, I have an oral amendment, on page 15, line 18, after the word "Rota", please add in the words "and Tinian" and on line –

President Manglona: What page is that?

Senator Dela Cruz: On page 15, line 18, after the word "Rota" add in "and Tinian" and on line 20, after the word "First" add in the words "and Second Senatorial District", and after that sentence, Mr. President, delete the remaining paragraph on that particular line item.

The motion was seconded.

President Manglona: I take it that everyone understands the amendment. Is there any discussion on the amendment? Senator Adriano.

Senator Adriano: Mr. President, on the wording on the same page, starting from lines 18 to 20, I would like to make a subsidiary motion to make that language be “Second Senatorial District”, which are lines 21, 22, and 23.

President Manglona: I believe that you are making the same....

Senator Adriano: The same language as the First Senatorial District, Mr. President.

President Manglona: Basically the amendment that is offered by Senator Dela Cruz is to include....

Senator Dela Cruz: Include the Second Senatorial District on that particular....

President Manglona: And to remove the last sentence of that provision.

The motion to adopt the oral Floor Amendment offered by Senator Dela Cruz carried by voice vote.

President Manglona: Motion carried. The amendment passes. Senator Cing?

Senator Cing: Also, Mr. President, can we go to page 11, line 2. On the year “2000”, I would like to make an oral floor amendment to insert “1998” instead of year “2000”.

The motion was seconded.

President Manglona: Any discussion? Floor Leader?

Floor Leader Reyes: Mr. President, I think that we need to make it consistent with the inauguration of the members. I believe it should be January 8 instead of 16. So, I would like to change that to “January 8, 1998”.

Several members voiced, “ready”.

President Manglona: The amendment is on page 11, lines 1 and 2. It shall read, “from January 8, 1998.”

The motion to adopt the oral floor amendment offered by Senator Cing carried by voice vote.

The Chair recognized Vice President Villagomez.

Vice President Villagomez: Thank you, Mr. President. First of all, on page 18, on the administrative provision, regarding the expenditure authority for the “Washington Lobbyist”, it was crossed out for the “Free Trade Zone”. Can I ask the Chair what happened to the appropriated amount for the Washington Lobbyist?

Senator Maratita: We moved it to the Free Trade Zone.

Vice President Villagomez: So, we zeroed out the Washington Lobbyist?

Senator Maratita: Yes, you are right.

President Manglona: I think that was the explanation for the replacement of page 51.

Vice President Villagomez: But I thought we are supposed to be funding both the Washington Lobbyist and the Free Trade Zone.

President Manglona: Recognize, Floor Leader.

Floor Leader Reyes: Thank you, Mr. President. I raised that question up because I recalled that there were changes made in the proceeding page. Washington Lobbyist was not listed, but Free Trade Zone was listed. It was originally the intent. As every one can recall, when Steven Mackenzie was assisting the Committee, we moved the Washington Lobbyist Fund to Free Trade Zone. I have not done anything to execute the change except that it was done at that time. So, what we have here is a funding for the Free Trade Zone on the proceeding pages and the cover page for the budget worksheet but the change was not institute on the actual worksheet. What we have here is a funding that is not consistent with the title. I had raised this up again recently in our Committee meeting. It is only recently that I had discovered while working on it with the Senate Clerk. In fact, the Washington Lobbyist should have been change to reflect Free Trade Zone, the title had never been changed. It was an error that has been corrected.

Vice President Villagomez: So the Washington Lobbyist was never funded?

Floor Leader Reyes: Yes, that is correct.

President Manglona: Again, there are handwritten changes that were made before the session on page 18. In that way, we do not have to make a floor amendment.

Vice President Villagomez: That is on page 51, but only on the provision. I was looking through the House version and I commend the Senate for funding the Free Trade Zone. Everybody has been screaming about trying to stimulate the economy here in the CNMI. It bothered me when I saw the House version. They never funded the Free Trade Zone. We are going to be funding it, but I also understood earlier that we are going to fund both the Free Trade Zone and the Washington Lobbyist. But if the Washington Lobbyist is zeroed out by the Committee, I guess so be it on that. So, on page 18, line 13, that should be for the “Free Trade Zone”, is that correct?

Senator Adriano: Point of information.

President Manglona: State your point.

Senator Adriano: Mr. President, on page 5, lines 22 and 23, I believe it is inconsistent with page 3 of the worksheet. and we are missing out 46 and 47. In other words, 45 is supposed to be the retroactive salary, while the Washington Lobbyist Fund under line 23. Number 47 should be stricken out.

Senator Adriano: There is inconsistency of page 3 of the worksheet and the administrative provision on page 5.

President Manglona: Short recess.

The Senate recessed at 3:40 p.m.

RECESS

The Senate reconvened at 3:50 p.m.

President Manglona: We are back to our session. Vice President, you still have the floor.

Vice President Villagomez: I just want to clarify that. So, page 18, line 3, subsection (kk), should read, “For the FTZ, expenditure authority is vested with the Governor or his designee”. So, I think there should be an oral amendment on that. I so move.

President Manglona: Actually, while it had been corrected prior to the passage with a handwritten amendment, why don't we just make a formal amendment together with page 5? So, if there is no objection, the amendment would be to correct page 18, line 3 to reflect Free Trade Zone instead of Washington Lobbyist Fund and on page 5, delete line 23. The amendment will reflect as such. Is there a second?

The motion was seconded.

President Manglona: Any discussion?

Several members voiced, “ready”.

The motion to adopt the oral amendment offered by Vice President Villagomez carried by voice vote.

The Chair recognized Senator Adriano.

Senator Adriano: Mr. President. Thank you, again. I want to go to page 23. On the administrative provision, starting on line 19 all the way to lines 26, I move to strike out the whole sentence.

Vice President Villagomez: Even Section 527?

Senator Adriano: It is a motion. From lines 19 to 21.

Vice President Villagomez: Lines 19 to 21, I second the motion.

Senator Adriano: I correct my motion.

President Manglona: Can you state the motion, Mr. Chairman?

Senator Adriano: I move to delete lines 19 to 21, Mr. President, on page 23, which is the administrative provision. That is a motion.

The motion was seconded.

President Manglona: Any discussion?

Several members voiced, “ready”.

The motion to adopt the oral amendment offered by Senator Adriano was carried by voice vote.

President Manglona: Motion carried.

Senator Adriano: Again, Mr. President, can I go over to page – *kulan lache I yokku* motion, *bula buruka gi* gallery. On pages 2 and 3, this is for the First and Second Senatorial Districts, on line 28, on the second page, before line 29, add the words “(L) Marianas Visitors Authority” and on page 3, again, add “(L) Marianas Visitors Authority”. That will reflect the same words on page 1. That is a motion.

President Manglona: Can you repeat the motion, Senator Adriano?

Senator Adriano: Just insert “(L) Marianas Visitors Authority” on pages 2 and 3.

President Manglona: On page 2, after line 28 and on page 3, after line 9, add a new subsection “(L)”. Any second?

The motion was seconded.

President Manglona: Is there any discussion?

Several members voiced, “ready”.

The motion to adopt the oral amendment offered by Senator Adriano carried by voice vote.

The Chair recognized Senator Adriano.

Senator Adriano: Mr. President, I want to go back to page 23 and make a motion again, to reinstate lines 19 to 21. That is a motion.

President Manglona: I believe the motion was carried – short recess.

RECESS

President Manglona: We are back to our session. Is there any other discussion? Mr. Vice President.

Vice President Villagomez: Mr. President, I want to make an oral amendment. On page 13, I want to delete line 8, “For the Municipal Council of Rota, each Council member shall receive and is vested with expenditure authority over an equal portion of the appropriations for operations, except for office rental. Said equal appropriations for operation shall not affect the existing personnel of the municipal council of the respective senatorial districts.” Rather than “Each expenditure authority...” it should be, “Each Municipal Council Chairperson shall allocate, and provide for the expenditure of...” That is my motion. And also, I was going to delete on page 23, lines 19 to 21, and it has been done. So the motion now is for the deletion of lines 8 through 12 on page 23.

The motion was seconded.

President Manglona: Any discussion?

Several members voiced, “ready”.

Floor Leader Reyes: Mr. President, just a point of clarification.

Senator Maratita: Mr. President?

President Manglona: Before I recognized Senator Maratita, let me recognized, Floor Leader Reyes.

Floor Leader Reyes: Mr. President, if I understand the floor amendment correctly, on page 13 beginning with, “For the Municipal Council of Rota, each Council member shall receive and is vested with expenditure authority over an equal portion of the appropriations for operations, except for office rental. Said equal appropriations for operation shall not affect the existing personnel of the municipal council of the respective senatorial districts”, this whole thing that I read is to be deleted. And the only change would be at the beginning of line 12, “Each expenditure authority” stricken out and insert “Municipal Council Chairperson” and then it follows with “shall...” and the rest of the sentence.

Vice President Villagomez: That is the motion.

President Manglona: Floor Leader, you said on the second sentence of the amendment, “Each expenditure authority shall allocate”, are you saying that should be deleted also?

Floor Leader Reyes: Expenditure authority is deleted, it is stricken out. It will read, “Each Municipal Council Chairperson shall allocate” and follows by the rest of the sentence.

President Manglona: I think then, there is no need because on line 6, there is already a provision that “The Chairperson of each municipal council shall have the expenditure authority except as provide in this subsection.” So there is no exemption and it goes back to the Chairman.

Floor Leader Reyes: Mr. President, the Vice President’s amendment would removed “expenditure authority” and to replace that with “Each Municipal Council Chairperson shall allocate”, which is consistent with the intent on line 6, giving the Municipal Council Chairperson the expenditure authority.

President Manglona: So, we are going to keep that?

Floor Leader Reyes: Yes. I just wanted to clear the amendment.

President Manglona: Thank you. Senator Maratita?

Senator Maratita: Can we take a vote on it, Mr. President?

President Manglona: You mean voice vote?

Senator Maratita: Yes.

President Manglona: Any objection for a voice vote?

Floor Leader Reyes: No objection.

Vice President Villagomez: I have further amendment to that before we vote by voice. The original provision on that section is that the Mayor and Chairperson of the Municipal Council of the respective Senatorial Districts shall have the expenditure authority on appropriations for their respective offices. So, technically, we delete “except as provided in this subsection...” all the way down to line 12, “Each Municipal Council Chairperson shall allocate.”

President Manglona: And it should read as in prior budget provisions. Any further discussion on the amendment?

Floor Leader Reyes: What is the amendment?

President Manglona: The amendment is to remove the whole intent of that section in which each municipal council is given equal share of their operation. So, the amendment offered by the Vice President is to take that away and leave it up to the Chairman of the Municipal Council for the island of Rota.

Floor Leader Reyes: So the original motion stands, there is no additional change to the original motion?

Vice President Villagomez: Okay. The original administrative provision on this section here, on line 6 it reads, “(a) The Mayor and the Chairpersons of the Municipal Councils of the respective Senatorial Districts shall have the expenditure authority for appropriations for their respective offices.” Then it says, “Each Municipal Council Chairperson shall allocate”, that has been and always been the provision. The Senate amendments starts on line 8, “respective offices, except as provided in this subsection. For the Municipal Council of Rota, each Council member shall receive and is vested with expenditure authority over an equal portion of the appropriation, except for office rental. Said equal appropriations for operations shall not affect the existing personnel of the municipal council of the respective senatorial districts.”, be stricken out.

Floor Leader Reyes: Be stricken out.

Vice President Villagomez: Be stricken out.

President Manglona: So, it is clear now, right? Okay, Senate Clerk, call the roll, please.

The Senate Clerk called the roll on the motion to adopt the oral amendment offered by Vice President Villagomez, as follows:

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

Vice President Villagomez: Can we ask the other members to vote?

Senator Cing: I believe two members abstained. I and my good colleague here.

President Manglona: Four members voted “no”, three “yes”, and two “abstained”. The motion is hereby defeated. Any other member?

Vice President Villagomez: I asked, Mr. President, if you can ask the two members whether they’re going to change their votes.

President Manglona: If there is no objection, can I ask Senators Cing and Guerrero --?

Senator Cing: We will not change our votes, Mr. President. We will stay with the abstention.

President Manglona: Can I hear from Senator Guerrero?

Senator Guerrero: Likewise, Mr. President, I maintain my abstention.

President Manglona: Four (4) no, three (3) yes, and two (2) abstention, the motion is defeated. Is there any other member? We are still discussing House Bill No. 12-246. If none, we are ready. Is there any motion for the previous question?

Floor Leader Reyes: I so move.

President Manglona: Senate Clerk, roll call please.

The Senate Clerk called the roll on the motion to pass on Final Reading, House Bill No. 12-246, CD1, SS1, SD4, as follows:

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

President Manglona: By the vote of eight (8) yes and one no, House Bill No. 12-246, CS1, SS1, SD4, passes the Senate.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Without objection, Mr. President, I would like to make a very short statement on the budget.

President Manglona: We are still under the Bill Calendar, but if there is no objection, I recognize you.

Floor Leader Reyes: Mr. President, first of all, I would like to commend the Chairman for working very hard on the budget of this complexity. For the very tedious and hard work that he put in, I believe he needs to be recognized for that. He put in a lot of hours at night. I was there and I saw a lot of his participations on the budget. I would also like to say that in the budget, we have \$2 Million that we have appropriated to pay retroactively those deserving government employees who are now not working for the government, and had been waiting for years and years to receive their retroactive pay. Two Million Dollars—even though this is a small amount, if we were to pay the entire amount of \$14 Million, it does add to easing up their economic difficulties. Also, we funded \$4 Million were it was absent originally to pay for the utility consumption of this government. I think that this is appropriate to do and

again, I commend the members of the Fiscal Affairs Committee and most especially the Chairman for his foresight in supporting the inclusion of this \$4 Million. In addition, Mr. President, we also funded the retirement benefits that is absent from the previous budget appropriations so that we can satisfy the government's requirement to turn over contributions to the Retirement Fund Office. We especially commend the Chairman and members for increasing the scholarship funding of up to \$4.5 Million. I think this is significant because this demonstrates to us and this is our action to demonstrate to the students and the future leaders of the Commonwealth that we are in fact supporting them. We also funded half a million dollars to create a new office called "Management Intern Office." This office is to slide in returning college students so that when they return from school armed with degrees--that they don't come back and not find employment in the Commonwealth, resulting in losing these people by leaving the Commonwealth and going off island to be employed. We have seen these many times. This additional funding demonstrated that we are sensitive to our returning students and this office would also function to find suitable and compatible work job for these students. Once they ease up to that employment, then they free up the funding for other returning students. I also commend the Chairman and the members for increasing the medical referral funding up to \$3 Million. This is very critical. It is something that it is very close to my heart. I also commend the members of the Committee for displaying sensitivity to our police forces by providing hazardous pay to those deserving DPS officers who place their lives in danger every single day. I think that it is time that we show some appreciation. I also commend the Committee for their sensitivity in supporting the Saipan Mayor with additional half a million dollars adjustment to curb with some of the expenses that he is struggling with almost on a daily basis to try and find repair maintenance costs, repair roads and other obligations that the Mayor's Office requested and needed. The Parole Office needs additional marshals and we have provided this. I am most grateful to the members for increasing the Junior Statesmen Program from Thirty-Five Thousand Dollars to Sixty Thousand Dollars and this is a commendable action by the members. Also, for the Close-up Foundation, we added Ten Thousand Dollars more and for the Agricultural Affair, we added an additional Ten Thousand Dollars for Tinian and Rota. I believe that this is a very commendable act by the Committee members. We also funded additional Legislative Assistance Investigator for the Office of Public Defender. This has been a lagging problem and we have ignored this for so many years. Again, I support the Chairman and the members in making sure that this funding becomes available. But most especially and most significant is the additional funding to the Office of the Mayor of the Northern Islands, where we have funded additional money to provide periodic field trip to the Northern Islands. This has been a very serious financial burden to the Mayor. We also funded additional Fifteen Thousand Dollars to allow them to purchase a small vessel so that they can transport through field trips to the islands. The Fifty Thousand Dollars additional money to the Developmental Disability Council, I believe is most welcome. And also there was the compassion of the members in supporting the purchase of a Decompression Chamber that has been requested for so many years by the Fire Department Chief, allowing many of our tourist and our local divers to have a facility where they can be saved in the event that they have an accident while diving in our waters. So, the additional Sixteen Thousand Dollars to NMASA and many other funding that escaped me at the moment were good programs, which the Committee has funded. But at the same time, Mr. President, I also would like to express my disappointment that the Marianas Visitors Bureau is being divorced out from the main office here in Saipan. I'm disappointed because I feel that the single economic base of the Commonwealth, the most important economic base of the Commonwealth is the function of Marianas Visitors Authority. To harm the goose that lays the golden egg, for every one of us is harming not just Saipan, but also harming Tinian and Rota. And for that reason, I would like to go on record by just saying that, although, I am not supporting this action, the entire budget package that is presented by the Chairman of Fiscal Affairs Committee, the Honorable Edward Maratita, presented many other advantages that outweighs the disadvantage of separating the Marianas Visitors Authority. For that reason, Mr. President, I offer my support to the Chairman and the members of the committee. Thank you.

President Manglona: Thank you, Floor Leader. Recognize, Vice President.

Vice President Villagomez: If I may, Mr. President. I just want to comment, too on the budget that we just passed. It is true that there's been hard work done and I would like to commend the Committee and the members for increasing the Office of Washington Representative by Three Hundred Thousand Dollars; increasing the Office of the Governor from Sixteen Million Dollars to Seventeen Million Dollars. I would like to commend the Committee for cutting down the AG's Office by Eight Hundred Thousand Dollars; cutting down the Department of Community and Cultural Affair by about Three Hundred Thousand Dollars; cutting down the Department of Commerce by about One Hundred Thousand Dollars; increasing Labor and Immigration from \$6.7 Million to \$7.4 Million, but at the same time, for the Department of Public Safety--we cut it down from \$14 Million to \$13.5 Million. We cut down the Department of Finance from \$10 Million to \$9.6 Million and Department of Public Health from \$38 Million to

\$34 million, Department of Lands and Natural Resources from \$8 Million to \$6.6 Million and Department of Public Works, and I feel comfortable on this from \$8 Million to \$7.5 Million. We have succeeded in cutting down the Executive Branch by about \$10 million and I congratulate everybody for taking their share on that Ten Million Dollars. Thank you.

President Manglona: Is there any other member? We're still under Bill Calendar.

HOUSE BILL NO. 12-199, COMMITTEE DRAFT ONE, SENATE SUBSTITUTE ONE: A BILL FOR AN ACT TO ADD A NEW CHAPTER TO TITLE 4, DIVISION 2 OF THE COMMONWEALTH CODE TO PROMOTE ECONOMIC DEVELOPMENT IN THE COMMONWEALTH BY OFFERING TAX ABATEMENT AND/OR REBATE INCENTIVES IN EXCHANGE FOR THE DEVELOPMENT OF DESIRABLE FACILITIES OR ACTIVITIES.

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

President Manglona: Any discussion?

Vice President Villagomez voiced, "ready".

President Manglona: I have a floor amendment and I believe copies had been distributed to the members.

**"FLOOR AMENDMENT TO H.B. 12-199, CD1, SS1
OFFERED BY SENATOR PAUL A. MANGLONA**

1. On Page 4, lines 23 and 24, insert the following:

Provided that for the islands of Rota and Tinian, the minimum capital investment, including public benefit contributions, shall be sixty percent (60%) of the corresponding figures listed above.

2. On Page 6, between lines 24 and 25, insert the following:

Provided that for the islands of Rota and Tinian, the applicable non-refundable filing fees shall be sixty percent (60%) of the corresponding figures listed above.

/s/ Paul A. Manglona

President Manglona: Short recess.

RECESS

President Manglona: Good afternoon. Let us continue with our Senate session. We're still discussing House Bill No. 12-199, CD1, SS1. Before the recess, I offered a floor amendment and copies had been provided. Can I hear a second on the amendment?

The motion was seconded.

President Manglona: Is there any discussion on the amendment?

Several members voiced, "ready".

The motion to adopt the floor amendment offered by President Manglona carried by voice vote.

The Chair recognized Senator Guerrero.

Senator Guerrero: Mr. President, I would like to offer an oral amendment. On page 4, line 21, after the word "project" insert "approved by Joint Legislative Resolution and".

The motion was seconded.

President Manglona: Is there any discussion?

Several members voiced, “ready”.

The motion to adopt the oral amendment offered by Senator Guerrero carried by voice vote.

President Manglona: The amendment passes. We’re still discussing House Bill No. 12-199. Is there any further discussion?

Vice President Villagomez: How does that amendment read? Is there any development?

President Manglona: The motion just passed. We now have line item “n” that reads as follows: “Any development or project approved by Joint Legislative Resolution beneficial to the economic development of the Commonwealth not listed above.” Is there any further discussion? None.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Before we vote, I would like to clarify the record so that there is no misunderstanding on how to interpret this amendment. Prior to discussing the additional amendment, we agreed that the internet related business and most especially the pending enterprises that are knocking on our door, which is the recycling program, which is less capital intensive business, shall not be affected by the amendment made on line 21, because this is something that the Committee had approved prior --

President Manglona: I am not a lawyer, Floor Leader, but I think that with that amendment, that now changes -- short recess.

RECESS

President Manglona: We are back to our session. The Chair recognizes the Floor Leader who has earlier made a motion.

Floor Leader Reyes: Mr. President, in the spirit of cooperation, I withdraw my motion.

President Manglona: There is no objection to the withdrawal. We are back to House Bill No. 12-199, CD1, SS1, under discussion. Is there any further discussion? Senator Adriano?

The Chair recognized Vice President Villagomez.

Vice President Villagomez: Just a point of information, I am not sure if am in line, but the amendment that was offered by Senator Guerrero, is that applicable to the application filing fees, any development or projects approved by a Joint Resolution?

President Manglona: That is correct. But of course, the application is corresponding to the minimum investment section. That’s a good point, Vice President Villagomez. Is there any further discussion?

Floor Leader Reyes: I don’t know if it is appropriate for me to provide the members with a section-by-section analysis of House Bill No. 12-199. If it is not, then I can just provide print copies to the members. But it does demonstrate the changes that took place and provides the logic in those changes. If the members do not want to hear that, then I will just go ahead and provide them copies.

Vice President Villagomez: Ready.

President Manglona: Thank you, Floor Leader Reyes. Senate Clerk, call the roll, please.

The Senate Clerk called the roll on the motion to pass on Final House Bill No. 12-199, CD1, SS1, as amended, as follows:

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

President Manglona: House Bill No. 12-199, CD1, SS1, as amended passes the Senate. Is there any motion to adjourn, Floor Leader?

Floor Leader Reyes: I so move.

The motion was seconded and carried by voice vote.

President Manglona declared the Senate adjourned subject to the call of the Chair at 4:30 p.m.

Respectfully submitted,



Ramona I. Kapileo
Senate Journal Clerk

Adopted: July 25, 2001