

**THE SENATE
TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
THIRD REGULAR SESSION, 2001**

Second Day

Thursday, January 25, 2001

The Senate of the Twelfth Northern Marianas Commonwealth Legislature, First Day, Third Regular Session, 2001, was called to order at 12:04 P.m. in Rota Courthouse MP, 96951.

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

A moment of silent prayer was observed.

The Senate Clerk called the roll and six (6) members were present. Senator T. P. Villagomez, Senator R.S. Guerrero and Senator D.M. Cing were excused.

Floor Leader Reyes: Mr. President, Senator Guerrero asked me to request for him to be excused because he will be in a meeting at the Memorial Park Conference which is scheduled for today.

President Manglona: For the Record, Senator Guerrero, Senator Cing and Vice President Villagomez are excused for today's session. Six members are present and we have the necessary quorum to conduct our session. Before we proceed, I would like to recognize the presence of our Mayor in the gallery, Special Judge Wiseman, present and previous resident directors, as well as members of the public who are here this afternoon to listen to our session. Welcome all of you.

READING AND APPROVAL OF THE JOURNAL

None

MESSAGES FROM THE GOVERNOR

Gov. Mesg. No. 12-507: January 15, 2001 – Certification that the position of Special Assistant to the Mayor of Rota is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-508: January 15, 2001 – PL 11-6 exemption for Anthony M. Camacho dba Great Refuse & Recycling.

Gov. Mesg. No. 12-509: January 17, 2001 – Informing the Legislature that he had disapproved HB 12-275, HS1, relating to nonresident worker employment contracts and procedures; and for other purposes. (DISAPPROVED ON 01/17/01)

Gov. Mesg. No. 12-510: January 19, 2001 – Certification that the 11 positions within the Department of Public Health are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-511: January 19, 2001 – PL 11-6 Exemption for S2 Club (Marine Tech Saipan, Inc.).

Gov. Mesg. No. 12-512: January 19, 2001 – PL 11-6 Exemption for A.S.C., Inc., dba Nagoya Star Night Club & Karaoke.

Gov. Mesg. No. 12-513: January 19, 2001 – PL 11-6 Exemption for Saipan employment Agency & Services, Inc.

Gov. Mesg. No. 12-514: January 23, 2001 – PL 11-6 Exemption for You Rim Corporation.

COMMUNICATIONS FROM THE JUDICIARY

None

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS

None

HOUSE COMMUNICATIONS

Hse. Comm. No. 12-187: Transmitting a certified copy of HR 12-111, entitled, "To recognize and congratulate Mr. Herman T. Guerrero for winning the United States year 2000 national Humanities Award and having national distinction for the CNMI."

Hse. Comm. No. 12-188: Transmitting a certified copy of HR 12-112, requesting the Department of Defense to declare a moratorium on the bombing of the island of Farallon de Mendinilla.

WASHINGTON REPRESENTATIVE'S COMMUNICATIONS

None

STANDING COMMITTEE REPORTS

None

SPECIAL/CONFERENCE COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

PREFILED BILLS AND RESOLUTIONS

Sen. Leg. Initiative No. 12-4: A Senate Legislative Initiative to propose a constitutional amendment to allow qualified voters in each senatorial district to authorize the acquisition of permanent or long-term interests in real property in that senatorial district by persons of non Northern Marianas descent following expiration of the twenty-five year period prescribed by Covenant Section 805. (SEN. PAUL A. MANGLONA – 01/23/00)

Sen. Res. No. 12-29: A Senate Resolution supporting the Proclamation of the week of January 28 through February 02, 2001, as Catholic Schools Weeks in the CNMI; and for other purposes. (SEN. PAUL A. MANGLONA – 01/23/00)

Sen. Local Bill No. 12-6: A Senate Local Bill to establish local license fees for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes. (SEN. JOAQUIN G. ADRIANO – 01/23/01)

Sen. Bill No. 12-91: A Bill for an Act to amend 6 CMC § 3101 to protect tourists against violation of their right to peace and quiet; and for other purposes. (SEN. JOAQUIN G. ADRIANO – 01/23/01)

Sen. Bill No. 12-92: A Bill for an Act to provide comprehensive legislation regarding the Legislature bureau; and for other purposes. (SEN. JOAQUIN G. ADRIANO – 01/23/01)

INTRODUCTION OF BILLS AND RESOLUTIONS

Sen. Bill No. 12-93: A Bill for an Act to clarify the Law Enforcement status for the Commonwealth Authority Police and to provide for protect ---- of CPA police and Fire Fighters; and for other purposes. (SEN. J. M. DELA CRUZ)

Sen. Bill No. 12-94: A Bill for an Act to Amend the weapon control act to promote an out Resort Development corporate the target range for competitive rifle competition and free shooting; and for other purposes. (SEN. E.U. MARATITA)

Sen. Bill No. 12-95: A Bill for an Act to authorize the elected member of the Commonwealth of the Northern Marianas Legislature to issue Marriage and to --- Marriage Ceremony to amend title 8 from the Commonwealth Code; and for other purposes. (SEN. E.U. MARATITA)

Sen. Bill No. 12-96: A Bill for an Act to Amend 6 CMC § 6601, 2 CMC related to Mental Unit; and for other purposes. (SEN. E.U. MARATITA)

Sen. Joint Res. No. 12-4: A Senate Joint Resolution to grade an incentive program permitting the Governor to authorize the government employees to take their accumulated annual leave as the lump sum. (SEN. J.G. ADRIANO)

The Senate recessed at 12:10 p.m.

RECESS

The Senate reconvened at 12:20 p.m.

President Manglona: We are back to our regular session.

BILL CALENDAR

Floor Leader Reyes moved for the suspension of pertinent rules in order to pass the bills listed on the Calendar. Several members seconded.

President Manglona: Is there any objection? Floor Leader, please proceed.

Floor Leader Reyes: Mr. President, before we proceed, I would like to recognize the presence of the former Speaker of the House, sitting in the gallery, and also a former colleague in the House of Representatives, former Congressman Quitugua.

SENATE BILL NO. 12-93: A BILL FOR AN ACT TO AMEND 6 CMC 6601 ET SEQ. AND 3 CMC § ET SEQ. RELATING TO MENTAL ILLNESS; AND FOR OTHER PURPOSES.”

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

President Manglona: This is on Senate Bill No. 12-93. Is there any discussion?

Several members voiced “ready”, and the passage of Senate Bill No. 12-93 was carried by voice vote.

President Manglona: Senate Bill No. 12-93, passes the Senate on First Reading.

HOUSE BILL NO. 12-006, COMMITTEE SUBSTITUTE 1: TO CREATE THE COMMONWEALTH TELECOMMUNICATIONS COMMISSION BY AMENDING 4 CMC, DIV. 8, TO ADD A NEW CHAPTER 3,

SECTION 8301, ET SEQ., THE 'COMMONWEALTH TELECOMMUNICATIONS ACT OF 2000'; AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and Senator Adriano 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 | Excused |
| Senator Jose M. Dela Cruz | Yes |
| Senator Ramon S. Guerrero | Excused |
| Senator Edward U. Maratita | Yes |
| Senator Pete P. Reyes | Yes |
| Senator Thomas P. Villagomez | Excused |
| President Paul A. Manglona | Yes |

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, House Bill No. 12-006, CS1, passes the Senate on Final Reading.

SENATE LEGISLATIVE INITIATIVE NO. 12-4: A LEGISLATIVE INITIATIVE TO PROPOSE A CONSTITUTIONAL AMENDMENT TO ALLOW QUALIFIED VOTERS IN EACH SENATORIAL DISTRICT TO AUTHORIZE THE ACQUISITION OF PERMANENT OR LONG-TERM INTERESTS IN REAL PROPERTY IN THAT SENATORIAL DISTRICT BY PERSONS OF NON NORTHERN MARIANAS DESCENT FOLLOWING EXPIRATION OF THE TWENTY-FIVE YEAR PERIOD PRESCRIBED BY COVENANT SECTION 805.

Floor Leader Reyes moved for its passage on Final Reading, and Senator Atalig 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 | Excused |
| Senator Jose M. Dela Cruz | Yes |
| Senator Ramon S. Guerrero | Excused |
| Senator Edward U. Maratita | Yes |
| Senator Pete P. Reyes | Yes |
| Senator Thomas P. Villagomez | Excused |
| President Paul A. Manglona | Yes |

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, Senate Legislative Initiative No. 12-4 passes the Senate.

HOUSE BILL NO. 12-046, COMMITTEE SUBSTITUTE ONE, SENATE SUBSTITUTE ONE: A BILL FOR AN ACT TO REPEAL SECTIONS 214 AND 509 OF EXECUTIVE ORDER 94-3 IN ORDER TO

ESTABLISH A NON-PARTISAN AND INDEPENDENT CIVIL SERVICE SYSTEM; 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.

Senator Atalig: Thank you, Mr. President. I have here an amendment to HB 12-46. I have copies for the members.

President Manglona: The motion is to pass House Bill No. 12-46. Under discussion, Senator Atalig offered a Senate Substitute and copies have been provided to the members. Any discussion? Floor Leader.

Floor Leader Reyes: Mr. President, I have question on the substitute bill. To save time, can I request a very short recess?

President Manglona: Short recess.

The Senate recessed at 12:23 p.m.

RECESS

(Note: Senate Legal Counsel Tony Cabrera and former House Speaker Vicente Sablan participated in the following discussion)

Mr. Vicente Sablan: ... does not accurately reflect all necessary section and subsection of the Executive Order that--the office of the Personnel Office and remove the Personnel Office away from the Civil Service Commission.

Floor Leader Reyes: That is not my concern, Mr. Sablan. What is going to happen to....

Mr. Vicente Sablan: No changes. It would just restore back to the Civil Service Commission the way it was prior to the issuance of the Executive Order of 94-3.

Floor Leader Reyes: The Civil Service Commission prior to the Executive Order does not have the Civil Service Commissioner director.

Mr. Vicente Sablan: Right. The existing director will maintain his position to assist the Commission.... However, the proposed amendment will restructure the Office of Personnel and be placed under the Civil Service Commission as it was prior to the Executive Order.

Floor Leader Reyes: So, in other words, the Civil Service Commission director right now will become equivalent to the Personnel Officer....

Mr. Vicente Sablan: No, the OPM will stay as it is, but it will merge and be placed under the Civil Service Commission as it was before. No displacement of staff, but the version 12-46 is unclear in that matter.

Legal Counsel Tony Cabrera: The Certified application, I think all this does--that the OPM under the Civil Service Commission and not under the Governor.

Floor Leader Reyes: My problem with that, Counsel, is that before the Executive Order took place, there was no Civil Service Commission Director. He was created when the Executive Order took place. My concern is, if it reverts to where it used to be then it would be minor --- Administration. I am concern about making sure that the particular employee is also protected because....

Mr. Vicente Sablan: That will be protected under the proposed amendment.

Floor Leader Reyes: So where is Nobert (Sablan) going to be....

Mr. Vicente Sablan: He will stay with the Commission as a staff of the Commission. The OPM director and each staff will be --nobody will be displaced, except that the OPM will revert under the umbrella of the Civil Service Commission as it was before.

Floor Leader Reyes: Mr. Sablan, if it goes back the way it used to be prior to the Executive Order; then

Mr. Vicente Sablan: The amendment makes it clear that nobody will be displaced--will allow the office of OPM to work something out rather than when something is passed, we revert it back. People will be displaced as a result of that. So, we are trying to avoid that.

Floor Leader Reyes: Prior to the Executive Order, Mr. Sablan, the current director of the Civil Service Commission was the Personnel Officer and that position technically was elevated to work within the Civil Service Commission Office, right? The Personnel Officer needs to be downgraded. But, technically, the controlling agency right now is Civil Service Commission because they would meet and decided what to do and they would pass it down for enforcement....

Senator Adriano: Now, Norbert (Sablan) reports to the Commission?

Floor Leader Reyes: Yes.

Legal Counsel Tony Cabrera: Now, what this does is everything is in place except now the OPM Director has to go up to the Executive Director of the Civil Service Commission.

President Manglona: *Guiya ha' etyi I concern gi House Bill No. 12-46. Komo ma pass etyi na amendment then the concern -- lao ta atan este I line 12 and make sure na tita displace, taya' reduction.*

Mr. Vicente Sablan: Right.

President Manglona: *I iyona concern si Floor Leader Reyes, I House ni gaige I prublema....*

Mr. Vicente Sablan: The OPM will still be functioning as the Personnel Office. They will perform what they had been performing before except that they would be under the jurisdiction of the Civil Service Commission. No one will be displaced as a result of that change--by reverting it back from the Executive Order.

Floor Leader Reyes: Or demoted?

Mr. Vicente Sablan: Not really demoted. I think we can manage, we can find a way. For example, the Executive Director of the Civil Service Commission can maintain that position--just to assist the deputy of Civil Service Commission....

President Manglona: *Sina ta pega, Mr. Sablan, reduction, demotion or*

Mr. Vicente Sablan: Whatever, you add the word. You can add those to make it clearer. What I'm trying to say, is that 12-46 as it is, does not have good clarification.

The Senate returned to its plenary session at 12:30 p.m.

President Manglona: We are back to our session. Floor Leader Reyes, still has the floor. I believe that there is an amendment. Floor Leader.

Floor Leader Reyes: Thank you Mr. President. I have a simple floor amendment to line 12, Section 3, §(a) on line 13, after "elimination" put a comma (,) and, then add in "demotion or displacement of any position." This will be an amendment.

President Manglona: This will be the amendment to the floor amendment made by Senator Atalig.

The amendment offered by Floor Leader Reyes was carried by voice vote.

President Manglona: Were back to the amendment as offered by Senator Atalig as amended. Is there any discussion?

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

President Manglona: The bill now becomes House Bill 12-46, SS1.

Several members voiced, “ready”

President Manglona: Senate Clerk, please call the roll.

The Senate Clerk called the roll with the following result:

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

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, House Bill 12-46, SS1, passes the Senate on Final Reading. Before we proceed with the other bills on our calendar, I call for a short recess so that we can present to Sister Bridget and students of San Francisco De Borja a resolution recognizing the Catholic School Week. Short recess.

The Senate Recess at 12:32 p.m.

RECESS

(The Senate presented SR 12-29 to Sister Bridget and students of San Francisco De Borja School)

The Senate reconvened at 12:40 p.m.

President Manglona: We are still under bill calendar. The chair recognizes Floor Leader Reyes.

HOUSE BILL NO. 12-53, HOUSE DRAFT 1: A BILL FOR AN ACT TO AMEND 1 CMC, DIVISION 8, CHAPTER 3, § 8131 (A)(2); AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage on Final Reading, and Senator Adriano 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 | Excused |

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

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, House Bill No. 12-53, HD1, passes the Senate on Final Reading. Floor Leader?

SENATE BILL NO. 12-79: A BILL FOR AN ACT TO AMEND PL 12-12 TO DESIGNATE CORAL GARDEN AND PINATANG PARK MARINE AND ITS SURROUNDING WATERS AS MARINE CONSERVATION AREA; AND FOR OTHER PURPOSES.

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

President Manglona: Is there any discussion?

Floor Leader Reyes: Mr. President, I would just like to request--because this bill originally is the Managaha bill and I just want to find out what amendments were made by the committee to this.

The Chair recognized Senator Atalig.

Senator Atalig: Mr. President, basically, this bill is a conservation bill and I want to make it a rider on the Managaha bill which is Public Law 12-12 to designate Coral Garden and Pinatang Parks and the marine areas and its surrounding waters as marine conservation areas. I remember at one time that I introduced Pinatang Park and it was vetoed because--there were some reasons why the Governor vetoed it because of a letter from DLNR stating that they have to make a regulatory policy and I want to make this bill a rider on the manhagaha....

President Manglona: Are there any discussion? Floor Leader Reyes.

Floor Leader Reyes: Mr. President, thank you. I'm glad that I asked that question because the amendment made by Senator Atalig--it is a good amendment but the intent is to make sure that some of the coral reef that are within the area that he amended are protected. And this is for the benefit of the future generation of our people and also to make sure that the attraction that we have here in the Commonwealth is the environment so that the tourists coming here for this particular purpose will continue to come. Thank You.

The Chair recognized Senator Adriano.

Senator Adriano: Mr. President, the only concern I have here is that I learned that every time we designate a conservation area within our district it becomes a property of the Federal Government and the only time you can release that back is to have a negotiation with the Federal Government especially with the Fish and Wildlife and CRM. That is my only concern and I have no objection to this bill. Thank You.

The Chair recognized Senator Atalig.

Senator Atalig: The reason why I made this as a rider on this Managaha Conservation bill is because there are some funding for managaha that they are getting and if we were to have this, the same funding also--they will set aside funding for these particular areas--I made a rider on this bill.

Senator Maratita: Are these Federal funds?

Senator Atalig: I think so. Thank you.

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

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, Senate Bill No. 12-79 passes the Senate.

SENATE BILL NO. 12-94: A BILL FOR AN ACT TO CLARIFY THE LAW ENFORCEMENT STATUS OF THE COMMONWEALTH PORTS AUTHORITY POLICE AND TO PROVIDE FOR THE DEATH BENEFICIARIES OF CPA POLICE AND FIREFIGHTERS; 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".

The Senate Clerk called the roll with the following result:

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

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, Senate Bill 12-94 passes the Senate on Final Reading.

SENATE BILL NO. 12-95: A BILL FOR AN ACT 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.

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

President Manglona: Is there any discussion? Floor Leader.

Floor Leader Reyes: Mr. President, I notice that this is a legislation that intends to provide for the resort's approval by the legislature for the island of Rota and Tinian. Mr. President, my only comment here is that I regret that the Shooting Resort that both houses passed had been vetoed with a very weak argument and I was hoping that the House of Representatives will take the ... and override the veto because this is an economic venture that is supposed to stimulate the economy of the Commonwealth which is badly needed right now. I read the veto message and I am not at all satisfied with the comments and the concerns that were mentioned on that veto. I will support the shooting

gallery for Rota and Tinian because this is what the people want. In the public hearing, this is what they wanted. But, I am still hoping that the House decides to act on the veto of the Governor and override it. I am hoping that my colleagues here in the Senate will join me also in supporting an override of the. ...legislation that leads to SB 12-95.

President Manglona: Very short recess.

The Senate recessed at 1:03 p.m.

RECESS

The Senate reconvened at 1:08 p.m.

President Manglona: We are still under discussion. Floor Leader.

Floor Leader Reyes: Mr. President, during recess the Honorable Mayor mentioned his concerns with the bill and I ask for the members' attention and turn to page 7, subsection (h) on line 11. I have a simple motion, Mr. President, to strike out subsection (h) in its entirety and re-letter the

Senator Maratita: Mr. President, I object to that amendment and I would like that Senate Bill No. 12-95 be referred back to the committee and we will address it at our next session.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: The motion, Mr. President, is to withdraw the action on Senate Bill 12-95, without objection by the members.

President Manglona: If there is no objection.... Senator Adriano.

Senator Adriano: Mr. President, can we place this on First Reading and pass it today.

Floor Leader Reyes: Mr. President, again, if we place this on First Reading, I will still make the same floor amendment. The concern probably is with the amendment that I am making. If that can be compromised--maybe later on we can sit down with the mayor and find...grounds and get this important legislation out and be passed. This is a major economic endeavor.

Senator Adriano: I withdraw, Mr. President.

President Manglona: We are still on the Final Reading Calendar and there was no objection to the author's request. We will now proceed to Senate Bill No. 12-96.

SENATE BILL NO. 12-96: A BILL FOR AN ACT TO AUTHORIZE ELECTED MEMBERS OF THE COMMONWEALTH OF THE NORTHERN MARIANAS LEGISLATURE TO ISSUE MARRIAGE LICENSES AND TO PERFORM MARRIAGE CEREMONIES, TO AMEND TITLE 8 OF THE COMMONWEALTH CODE, AND FOR OTHER PURPOSES.

Floor Leader Reyes moved for its passage Final Reading, and Senator Dela Cruz seconded.

President Manglona: Is there any discussion? Senator Adriano.

Senator Adriano: Mr. President, this bill is to authorize the legislature to have the power to also administer marriage ceremonies. I wonder if we are duplicating any provision with respect to that of the mayors or the Governor, but the Legislature will also have the power to perform ceremonies.

Senator Maratita: Mr. President, this is not duplication. It is an option for two individuals as to whom to perform the ceremony.

Senator Atalig: Is this for tourists only or for anybody that wants to marry. For example, they want Senator Maratita to perform the ceremony?

Senator Maratita: Anybody.

Senator Adriano voiced "ready".

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

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes on Senate Bill No. 12-96 passes the Senate on Final Reading. Floor Leader?

SENATE BILL NO. 12-91: A BILLF OR AN ACT TO AMEND 6 CMC §8101 TO PROTECT TOURISTS AGAINST VIOLATION OF THEIR RIGHT TO PEACE AND QUIET; AND FOR OTHE RPURPOSES.

Floor Leader Reyes moved for its passage on Final Reading and Senator Atalig 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 | Excused |
| Senator Jose M. Dela Cruz | Yes |
| Senator Ramon S. Guerrero | Excused |
| Senator Edward U. Maratita | Yes |
| Senator Pete P. Reyes | Yes |
| Senator Thomas P. Villagomez | Excused |
| President Paul A. Manglona | Yes |

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, Senate Bill 12-91 passes the Senate on Final Reading. Floor Leader?

SENATE BILL NO. 12-92: A BILL FOR AN AC TTO PROVIDE COMPREHENSIVE LEGISLATION REGARDING THE LEGISLATIVE BUREAU; AND FOR OTHER PURPOSES.

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

President Manglona: Is there any discussion? Floor Leader.

Floor Leader Reyes: Mr. President, I have a short question because I have not read this bill. What does it suppose to do? This is the first time I have seen this bill.

Senator Adriano: This bill, Mr. President, is to clarify the question that we have authorized the legal Counsel to bring to court--to make some clarification as to the procurement and to the...Finance. This bill will address those concerns that now the legal counsel is working on....

President Manglona: I understand that there is an attachment to the bill offered by Senator Adriano which is House Bill 12-109 authored by Congresswoman Malua Peter, but the legal counsel wants it....

Floor Leader Reyes: Mr. President, I am just concern that this is in a form of a bill instead of a resolution because if the legislature wishes to clarify the intent of the challenge that—the certified question that we need to pass to the Judiciary. We have done that through a joint resolution. We can do that through a joint resolution. We have done it in the past.

President Manglona: Actually, Floor Leader, this bill would pretty much take away the Legislative finance from the Department of Finance....

Floor Leader Reyes: Mr. President, that is why I am asking, because I don't have a copy of that bill. I am going to be voting on the bill and basically I don't know what it is about and it raises a lot of concerns. Thank You.

President Manglona: I call for a short recess.

RECESS

President Manglona: We are still discussing Senate Bill No. 12-92. Floor Leader.

Floor Leader Reyes: Mr. President, with the consent of the members I would like to withdraw my motion for the passage of this bill and make another motion to just place this on the calendar for First Reading and have the Senate act on it at the next session.

President Manglona: If there is no objection, we will place it for first reading. Is there any motion for its passage?

Floor Leader Reyes: Mr. President, I move for adjournment subject to your call.

President Manglona: You are placing the bill on First Reading. Can you make the appropriate motion?

Floor Leader Reyes: Mr. President, I did make that motion already.

President Manglona: Again, and this is for the record, Floor Leader Reyes has made a motion for the passage of Senate Bill 12-92 on First Reading.

The motion for the passage of Senate Bill No. 12-92 on First Reading carried by voice vote.

RESOLUTION CALENDAR

The Chair recognized Senator Maratita.

Senator Maratita: I would like to place House Joint Resolution 12-17, SD1, on today's Resolution Calendar.

Senator Adriano: Mr. President, can we place also Senate Joint Resolution No. 12-4?

President Manglona: So right now under the Resolution Calendar, we have Senate Resolution No. 12-29 and House Joint Resolution 12-17. Senator Maratita, before you make a motion, what is 12-17?

Senator Maratita: It is the Governor's reprogramming authority.

President Manglona: Is there any objection?

Senator Adriano voiced, “no objection”.

President Manglona: Senator Adriano, what is Senate Joint Resolution No. 12-4?

Senator Adriano: SJR 12-4 is a Christmas lump sum bonus. If you reach one hundred hours....

HOUSE JOINT RESOLUTION NO. 12-17, SENATE DRAFT 1: A HOUSE JOINT RESOLUTION TO AUTHORIZE REPROGRAMMING AUTHORITY FOR THE GOVERNOR IN EXCESS OF THE LIMITS OF 1 CMC 7401 AND 7402.

Floor Leader Reyes moved for its adoption, and several members seconded.

President Manglona: Is there any discussion? Senator Maratita.

Senator Maratita: I have an amendment here, Mr. President, to add an additional resolving clause to read as follows:

“Be it further resolved that notwithstanding the expanded reprogramming authority granted to the Governor pursuant to this resolution, the Mayor of the First Senatorial District and the Mayor of the Second Senatorial District shall have unlimited reprogramming authority with respect to the budget of the Municipality of Rota and the Municipality of Tinian and Aquiguan, respectively, and the Mayor of the Third Senatorial District shall have unlimited reprogramming authority with respect to the budget of the office of the Mayor of Saipan; and

Be it further resolved, that the Governor is authorize to reprogram \$2,000,000.00 from funds subject to his reprogramming authority to pay for salary adjustments pursuant to Public Law 7-31; and”

Senator Adriano voiced, “second”.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: I support the floor amendment but, I just need to get a copy of it.

President Manglona: I am going to call for a short recess.

Floor Leader Reyes: Mr. President, I am ready to vote on this.

President Manglona: I am calling for a short recess. Is there any member who wants to comment on HJR 12-17? The amendment was made very clear by Senator Maratita. If there is no comment, we are ready to vote.

The amendment offered by Senator Maratita to House Joint Resolution No. 12-17 was adopted by the Senate by voice vote.

President Manglona: We are back to House Joint Resolution 12-17, SD1, as amended. 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 | Excused |
| Senator Jose M. Dela Cruz | Yes |
| Senator Ramon S. Guerrero | Excused |
| Senator Edward U. Maratita | Yes |
| Senator Pete P. Reyes | Yes |

Senator Thomas P. Villagomez
President Paul A. Manglona

Excused
Yes

Six (6) members voted yes.

President Manglona: By a vote of six (6) yes, House Joint Resolution 12-17, SD1, as amended hereby passes the Senate.

SENATE RESOLUTION NO. 12-29: A SENATE RESOLUTION SUPPORTING THE PROCLAMATION OF THE MONTH OF MARCH 2001 AS "CNMI RECOGNITION MONTH FOR PERSONS WITH DISABILITIES".

Floor Leader Reyes moved for its adoption, and several members seconded.

President Manglona: Is there any discussion?

There being no discussion, the motion to adopt Senate Resolution No. 12-29 carried by voice vote.

SENATE JOINT RESOLUTION 12-4: A SENATE JOINT RESOLUTION TO CREATE AN INCENTIVE PROGRAM PERMITTING THE GOVERNOR TO AUTHORIZE GOVERNMENT EMPLOYEES TO TAKE THEIR ACCUMULATED ANNUAL LEAVE AS A LUMP SUM CHRISTMAS BONUS.

Floor Leader Reyes moved for its adoption, and several members seconded.

President Manglona: Is there any discussion? Floor Leader.

Floor Leader Reyes: Mr. President, with all do respect to my good colleague, what is this Christmas bonus?

Senator Adriano: If an employee reaches a hundred hours in any given year, then the Governor may lump sum that amount of hours as annual leave.

Floor Leader Reyes: So, employees working in the government who accumulate annual leave when they reach hundred hours, can they withdraw that? Is that the concept here? If I have a hundred and twenty hours of accumulated annual leave and December comes around and I wish to withdraw hundred hours of annual leave, can I convert that to lump sum payment?

Senator Adriano: You cannot. As you can see on line 7, it is only authorized if you reach one hundred hours. Then the Governor may, it is not "shall", lump sum that hundred hours.

President Manglona: I would like to call for a short recess.

RECESS

President Manglona: We are back to our session and we are still addressing Senate Joint Resolution 12-4. Is there any discussion?

There being no discussion, the motion to adopt Senate Joint Resolution 12-4 carried by voice vote.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

None

MISCELLANEOUS BUSINESS

None

ANNOUNCEMENTS

Senator Adriano: Mr. President, on behalf of the members, I wish you a Happy Birthday and many more to come. Happy Birthday, Sir, and may I ask all the members to sing you a Happy Birthday. (Laughter)

President Manglona: Before we adjourn, can the Chairman Adriano announce the public hearing for the nominees?

Senator Adriano: I am trying to get the Committee, Mr. President, to sit down and have a meeting on Saipan. I wish that the Committee would have time next week to sit down and start planning for the exact date of the public hearings for several of the nominees of the Governor.

The Chair recognized Floor Leader Reyes.

Floor Leader Reyes: Mr. President, I would just like to tell the members that of my entire experience in the Legislature, both in the House and Senate, I've never seen a nominee or appointee of the Governor who is subject to confirmation receive as much support in writing than this candidate has received. It is very thick—I received them in my office. They are all supporting the candidate. I was counting them and I felt that if this person were to run for office, he would probably win. With all that support, it is very difficult, I think, for anyone not to offer his support for confirmation. That is just a personal observation. If any member wishes to share—I will share the information and the letters that I have received from....

The Chair recognized Senator Atalig.


Senator Atalig: I would like to announce to the members of HEW that House Bill 12-192—this is a bill for public hearing to encourage the establishment of secondary education institution in the Commonwealth. This is going to be on February 13, 2001 at 10:00am at the Senate Chamber in Saipan. Thank you.

President Manglona: Thank you Senator Atalig. Is there any other announcement?

There being no further announcement, Floor Leader Reyes moved that the Senate adjourns subject to the call of the Chair. The motion was seconded and carried.

President Manglona declared the Senate adjourned subject to the call of the Chair at 1:00 p.m.

Respectfully Submitted,



Ramona I. Kapileo
Senate Journal Clerk

Adopted: July 25, 2001