

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

Third Day

Thursday, September 27, 2001

The Senate of the Twelfth Northern Marianas Commonwealth Legislature, Third Day, Fourth Regular Session, 2001, was called to order at 2:00 p.m. in the NMC Campus Rm. C Tinian, MP 96950.

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

President Manglona: Before we begin, let me just say a few words. It is always nice to be on our beautiful island of Tinian, and since this is our First session since the great tragedy in New York and Washington D.C., where thousands of lives were lost and millions of dollars and damages were buried. I believe that everyone realizes that our freedom, not only in the US, but also in the entire world is now being threatened. I would like to ask the members to remember in our prayers this afternoon the victims and their families. Floor Leader Reyes is excused for today's session and the Chair would like to appoint Senator Adriano to be the acting Floor Leader.

A moment of silent prayer was observed.

The Senate Clerk called the roll and eight (8) members present and Senator Pete P. Reyes was excused.

President Manglona: With eight 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. 12-857: August 29, 2001 – Certification that the positions of Community worker, Counselor Aide and Librarian Aide (at the request of the Mayor of Rota) are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-858: August 31, 2001 – Informing the Legislature that the he had signed into law HB 12-373, entitled, "To reappropriate the sum of \$2,120,000.00 from PL 11-79 for capital improvement projects in Precinct I; and for other purposes." (PL 12-63 – 08/31/01)

Gov. Mesg. No. 12-859: August 31, 2001 – PL 11-6 Exemption for Lian International Inc.

Gov. Mesg. No. 12-860: August 31, 2001 – PL 11-6 Exemption for Se Kyo Corporation Ltd. DBA pine Trees Restaurant.

Gov. Mesg. No. 12-861: August 31, 2001 - PL 11-6 Exemption for You Won Trading Corporation.

Gov. Mesg. No. 12-862: September 5, 2001 – Certification that the position of Medical Records Assistant at the Department of Public Health is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-863: September 5, 2001 – Certification that 46 positions at the Office of the Mayor of Saipan will be vacant on September 30, 2001 and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-864: September 6, 2001 – PL 11-6 Exemption for Marianas Paramount Corporation.

Gov. Mesg. No. 12-865: September 7, 2001 – PL 11-6 Exemption for Joeten Motor Company, Inc.

Gov. Mesg. No. 12-866: September 10, 2001 – Certification that the positions of Agriculture Quarantine Inspector I in the Department of Lands and Natural Resources are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-867: September 10, 2001 – Certification that the position of Construction Inspector II is the Department of Public Works is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-868: September 12, 2001 – PL 11-6 Exemption for Yodan Enterprises Inc. dba Yodan Insurance.

Gov. Mesg. No. 12-869: September 12, 2001 – PL 11-6 Exemption for International Insurance & Tour Agency.

Gov. Mesg. No. 12-870: September 12, 2001 – PL 11-6 Exemption for Sablan Enterprises, Inc.

Gov. Mesg. No. 12-871: September 12, 2001 – PL 11-6 Exemption for R & C Tours Saipan, Inc.

Gov. Mesg. No. 12-872: September 12, 2001 – Certification for vacant positions of Social Worker II and Administrative Assistant at the Department of Public Health's Community Guidance Center that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-873: September 14, 2001 – Certification for 6 vacant positions within the Department of Public Works that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-874: September 14, 2001 – Informing the Legislature that he had approved, subject to line item veto, HB 12-374, CS1, SD2, entitled, "To appropriate funds for Capital Improvement Projects; and for other purposes. (PL 12-64 – 09/14/01)

Gov. Mesg. No. 12-875: September 18, 2001 – Certification for a vacant position of Customs Inspector II in the Department of Finance that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-876: September 19, 2001 – PL 11-6 Exemption for Sablan Enterprises, Inc.

Gov. Mesg. No. 12-877: September 19, 2001 – PL 11-6 Exemption for Northern Marianas College.

Gov. Mesg. No. 12-878: September 19, 2001 – PL 11-6 Exemption for T-5 Corporation.

Gov. Mesg. No. 12-879: September 19, 2001 – PL 11-6 Exemption for Kosa Fisheries, International.

Gov. Mesg. No. 12-880: September 19, 2001 – PL 11-6 Exemption for Sunleader (Saipan), Company Limited.

Gov. Mesg. No. 12-881: September 20, 2001 – Certification for a vacant position of Physician at the Department of Public Health's Tinian Health Center that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-882: September 20, 2001 – PL 11-6 Exemption for Pacific Amusement, Inc.

Gov. Mesg. No. 12-883: September 20, 2001 – PL 11-6 Exemption for Meitetsu Shopping Center, Inc.

Gov. Mesg. No. 12-884: September 20, 2001 – PL 11-6 Exemption for Doko Saipan.

Gov. Mesg. No. 12-885: September 20, 2001 – PL 11-6 Exemption for TM Corporation.

Gov. Mesg. No. 12-886: September 21, 2001 – PL 11-6 Exemption for Pacific Engine Development & Consulting, Inc.

Gov. Mesg. No. 12-887: September 21, 2001 – PL 11-6 Exemption for Pacific Engine Development & Consulting, Inc.

Gov. Mesg. No. 12-888: September 24, 2001 – Certification for vacant positions of Assistant Attorney General (2), and Legal Intern (1) at the Office of the Attorney General that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-889: September 25, 2001 – Certification for vacant positions of one Legal Secretary, two Labor Law Enforcement Trainees, one Immigration Inspector I, one Immigration Inspector Trainee, one Labor Law Enforcement Specialist in the Department of Labor and Immigration that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-890: September 25, 2001 – Nominating Mrs. Margarita Rabauliman Olopai-Taitano to serve a four-year term as a member of the NMC Board of Regents to represent Carolinians.

Gov. Mesg. No. 12-891: September 25, 2001 – Certification for vacant positions of Medical Supply Technician, Administrative Assistant, and Account Clerk II at the Department of Public Health that must be filled during the period of continuing resolution.

The Chair recognized Senator Dela Cruz.

Senator Dela Cruz: Under Governor's Communication No. 12-874, I just want to comment again on this particular action by the Governor, Mr. President. I am very, very, sad to find out that the Governor vetoed our one million dollars for the hemodialyses here in Tinian and likewise for Rota. And I just can not comprehend why the Governor can not fill the need for these two islands to make the lives of our hemodialyses patients here even more convenient. I am working very hard to try to identify funds for these particular programs, and I am a little frustrated to know that this type of service is not extended to the island of Tinian and Rota. Mr. President, it all goes down to the quality of life, and if you understand what these patients are going through, I am pretty sure that you will agree with my statement today. I do understand that under the constitution, he has the power to do this, but we are just hoping that he can be a little bit more sensitive to the patients undergoing the hemodialyses on the islands of Tinian and Rota. Thank you, Mr. President.

The Chair recognized Senator Atalig.

Senator Atalig: Thank you, Mr. President. Likewise, Mr. President, I am very disappointed with the Governor's line item veto of section 7, for the First Senatorial District and the Second Senatorial District. And, if I am in order, Mr. President, I would like to move for an override of this line item veto.

Senator Adriano: You are in order, and I second that, Mr. President.

President Manglona: We have before us a motion which had been seconded to override House Bill No. 12-374, CS1, SD2, and the provisions that were item vetoed by the Governor.

Senator Cing: Thank you, Mr. President. Before we entertain the motion for the override, I would like to know the reasons for the override.

President Manglona: The message from the Governor is numbered 12-874, and the members should have copies of it. Senator Adriano, would you like to respond to the question by Senator Cing?

Senator Adriano: The veto message, Mr. President, according to the Governor is that the expense of around \$1 million will be diverted for Tinian and Rota dialyses project will be cost saving more in terms of the funding. I

believe, Mr. President, that you saw my comment on the previous day with Marianas Variety. And the veto message, Mr. President, is just an excuse to get that project out and put it on Saipan. But putting it this way, Mr. President, we pay our people to go up to Saipan to watch our people. We pay our patients to stay on Saipan, while they are staying in Tinian and Rota. I believe it is not fair and we should get this funding and build our own dialyses center on Tinian and Rota. At the same time, Mr. President, with the 25% each for Rota and Tinian on federal funding that would be exhausted if we do not use that fund. I believe that is also an excuse from the Governor to get away with this veto message. Thank you.

President Manglona: I understand that when you refer to federal funding, you mean the Federal Highway funding.

Senator Cing: I am satisfied with the motion to override, Mr. President.

The Chair recognized Vice President Villagomez.

Vice President Villagomez: *Guaha iyok-ko* concern, Mr. President, on the Governor's Communication regarding his reasons for the veto. He pointed out that the section regarding dialyses was disapproved because on section 5 of the bill the First Senatorial District and Second Senatorial District, through a local delegation resolution, appropriated that one million each necessary for the new Rota and Tinian dialyses figures concern, Mr. President. We are just going into the fiscal budget that we are going to be addressing today. I appreciate the concern that the members of the Senate did not cut public safety and public health this time on the CNMI funding. But, going back to the Second Senatorial District on Tinian, it is recommended that public health be cut again by \$443,000. Rota on Public Health has been cut by \$322,000. So, I am not sure where our priority is here. We're going to vote on the override because the Governor is not going to give us the \$1 million, but then again it goes back to our own allocation to the Senatorial District and cut half of what the Governor vetoed. I need a direction from the Senate, Mr. President.

The Chair recognized Senator Dela Cruz.

Senator Dela Cruz: Mr. President the citation that Vice President Villagomez is referring to is the page that is not yet before us for deliberation. I am going to make an amendment to that particular page that his referring to. I do not agree also that there should be a cut on the Department of Public Health here in Tinian, likewise in Rota. So, back to the governor's message, we do understand clearly that we can take out a million dollars out of the 11.5 that is left over on our CIP here. But, let us not forget that those money are earmarked also for other needed capital projects and we found out that the Senate have real money and we're talking about real money here, the \$25 million. That is why we have decided to try to pull a million-dollar each for our hemodialyses in Rota and Tinian. Just like I mentioned earlier, this project is badly needed here. We are talking about quality of life; we are talking about people that are not functioning properly because of hemo problem. So, it all boils down to the quality of life here. Our patients here are being displaced unnecessarily, and if we do not start today then we will never finish this project and I'm very, very, frustrated with our Executive Branch for not allowing us to share with this project. Thank you, Mr. President. I am ready to vote.

The Chair recognized Senator Atalig.

Senator Atalig: I would like to further my motion for the override. Also, on page 3, for the Federal Highway for the First Senatorial District, Second Senatorial District and Third Senatorial District.

Senator Adriano: I second that. If I am in order, Mr. President, perhaps maybe we can launch on this override any line item veto that the Governor did and that appropriation bill is override in its entirety. Thank you.

The Chair recognized Senator Cing.

Senator Cing: I have one simple question, Mr. President. Did our legal counsel go over the item vetoes and see if we have the right, by the Constitution, to override Mr. President? If it is so, then let us proceed with the move.

President Manglona: I believe that it is properly done. The Governor has the authority under the Constitution and if I am mistaken, the Legal Counsel can indicate so, but I think that the Governor vetoed the section properly.

Senator Guerrero: Thank you, Mr. President. I think that the message of the Governor is quite clear. My concern here is that the original plan was to make CHC have a bigger facility for patients that go through hemodialyses, and the plan that was done, as I understand, was through matching fund by the federal government. When we, if I recall during our last session, passed the CIP project, none of us came to question whether to do oral amendment of providing one million for Tinian and Rota. Was there any intervention of the project that was already done and has completed the design? In fact, that design is ready to be bid it out and that was one of the concerns because of the federal matching for CHC. We never questioned when we did the oral amendment, and I voted for the one million for Rota and Tinian. I supported Rota, but it never came to us. None of us ever questioned whether there was a matching fund that was already planned and provided for by the Federal government to match the amount of money needed for the dialysis expansion of CHC, Mr. President. In good faith, while I support, I also would like to have my colleagues understand that the crisis that is happening now, affects the whole world including the CNMI. Whether we pass this budget or whether we override the Governor's veto, my concern is, if and when the Governor, assuming he resubmits the actual resources expected for Fiscal Year 2002 which I'm definitely sure is inclusive of CIP even though it is guaranteed under the Covenant, with what has happened in the States, all the money has been given to the federal agencies to assist in the rescue and to airport security that's needed in the world. Right now, before anybody vote for second I will abstain from voting on any increase project. I am very scared that whatever budget we will pass today, one, definitely, the house will not concur. Two, the total package of the budget will definitely, I will guarantee, that definitely it will take the entire budget to the final, Mr. President. Thank you.

President Manglona: Thank you, Senator Guerrero. We are back to the motion offered by Senator Atalig.

Vice President Villagomez: I would like to get a clarification on the motion. The motion to override....

President Manglona: The motion is to override the section item vetoed by the Governor. Two sections, the \$1 million each for Rota and Tinian and the other section is on the subject of the Federal Highway funding--providing the earmarking of the Federal Highway funds to 25% to Rota and 25% to Tinian on an annual basis. So, those sections were vetoed, and we are voting on the two sections that were vetoed.

Vice President Villagomez: Can I suggest that we vote on per line item veto? There is more priority on the concern on the dialysis than on the highway funds. Maybe the House will be willing to override on the dialysis section.

President Manglona declared the Senate recessed at 2:20 p.m.

**RECESS**

The Senate reconvened at 2:21 p.m.

President Manglona: We are back to our plenary session. Senator Atalig would you reconsider your motion and let us handle the override on item veto?

Senator Atalig: Thank you, Mr. President. I will withdraw my motion on the Federal Highway percentage, and we will just go ahead and concentrate on the hemodialyses.

President Manglona: Is there any comment on the motion to override Section 781 regarding the First Senatorial and Second Senatorial District for the dialysis? Is there any further 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	No
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Excused
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Seven (7) members voted yes and one (1) no.

President Manglona: By a vote of seven (7) yes, and one (1) no, we have the necessary two-thirds vote. The Senate hereby overrides Section 781 of Public Law 12-64 which is House Bill No. 12-374, CS1, SD2.

Senator Atalig: I would like to make a motion regarding Federal Highway on Section 7 (e) for the First Senatorial District, Second Senatorial District, and the Third Senatorial District.

Several members voiced, "second".

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Eight (8) members voted yes.

President Manglona: By a vote of seven (7) yes, and one (1) no, we have the necessary two-third votes to override section 7(e) of House Bill No. 12-374, CS1, SD2. We are still under Governor's Communication. Is there any other comment?

**COMMUNICATIONS FROM THE JUDICIARY**

Judicial Comm. No. 12-7: August 28, 2001 - Certification that the position of Accounting Technician I in the Commonwealth Superior Court is vacant and must be filled during the period of continuing resolution.

Judicial Comm. No. 12-8: August 28, 2001 - Certification that the position of Deputy Clerk II in the Commonwealth Superior Court is vacant and must be filled during the period of continuing resolution.

Judicial Comm. No. 12-9: August 28, 2001 - Certification that the position of Records Assistant in the Commonwealth Superior Court is vacant and must be filled during the period of continuing resolution.

**COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS**

None

HOUSE COMMUNICATIONS

Hse. Comm. No. 12-297: Transmitting for Senate action HB 12-404, CS1, HD4, entitled, “A Bill for an Act to make appropriations for the operations 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 2002; and for other purposes.

Hse. Comm. No. 12-298: Returning with amendments SB 12-123, SD1, CD1, entitled, “A Bill for an Act to make amendments to the Board of Public Land Act of 2000, 1 CMC § 101(a), Section 102, § 104(h) and § 106(d); and for other purposes.”

Hse. Comm. No. 12-299: Transmitting for Senate action HB 12-411, CS1, entitled, “A Bill for an act to reappropriate the sum of \$2,790,000 from subsection (b)(1) of Section 2 4 of Public Law 11-89; and for other purposes.”

Hse. Comm. No. 12-300: Transmitting a certified copy of HR 12-166, entitled, “A House Resolution to recognize and commend the participation of the CNMI All Star Little League (Major) Team in the Pacific Region Tournament.

Hse. Comm. No. 12-301: Transmitting a certified copy of HR 12-170, entitled, “A House Resolution to commend and recognize Police Officer James Aguon Omar for valor for performing a brace, heroic and life threatening rescue at risk of personal peril during the August 19<sup>th</sup> rescue mission.

Hse. Comm. No. 12-302: Transmitting a certified copy of HR 12-173, entitled, “A House Resolution to recognize and commend the participation of the CNMI All Star Baseball Little League Team (Big League in the 2001 World Series in Easley, South Carolina.

Hse. Comm. No. 12-303: Transmitting a certified copy of HR 12-174, entitled, “A House Resolution to recognize and commend the participation of the CNMI All Star Little League Team (Junior ) in the 2001 world Series in Taylor, Michigan.

Hse. Comm. No. 12-304: Transmitting a certified copy of HR 12-175, entitled, “A House Resolution to congratulate Brien Sers Nicolas, Jr. for his outstanding performance in the 2001 Junior League Baseball World Series in Taylor, Michigan, for his selection as the Homerun Derby Champion.”

Hse. Comm. No. 12-305: Transmitting a certified copy of HR 12-169, entitled, “A House Resolution to commend and recognize Police Officer Michael Atalig Camacho for valor for performing a brave, heroic and life threatening rescue at risk of personal peril during the August 18<sup>th</sup> rescue mission.

Hse. Comm. No. 12-306: Transmitting for Senate action HB 12-416, HS1, entitled, “A Bill for an Act to amend 4 CMC § 1803 by adding a new subsection; and for other purposes.”

Hse. Comm. No. 12-307: Informing the Senate that the House voted to recall from the Governor HB 12-361, HD2, entitled, “To repeal section 301 (b)(5) of Executive Order 94-3; to amend 3 CMC Section 4424; to amend 4 CMC Section 1803; and for other purposes.”

The Chair recognized Senator Dela Cruz.

Senator Dela Cruz: Under House Communication No. 12-299, this is in reference to House Bill No. 12-411, CS1. If there is no objection from the members, I would like to place this on the Final Reading Calendar for action, Mr. President.

Several members voiced, “second”.

President Manglona: So placed, Floor Leader Adriano. Is there any other discussion?

Senator Adriano: Mr. President, I would like to place House Communication No. 12-298 relating to Senate Bill No. 12-123, and House Communication No. 12-297 relating to House Bill No. 12-404 on today's calendar for action. Thank you, Mr. President.

**WASHINGTON REPRESENTATIVE'S COMMUNICATIONS**

None

**STANDING COMMITTEE REPORTS**

None

**SPECIAL/CONFERENCE COMMITTEE REPORTS**

None

**UNFINISHED BUSINESS**

None

**PREFILED BILLS AND RESOLUTIONS**

Sen. Bill No. 12-127: A Bill for an Act to establish a Central Economic Recovery Commission; and for other purposes. (SEN. EDWARD U. MARATITA – 09/26/01)

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Sen. Local Bill No. 12-128: A Local Bill for an Act to prohibit and impose restriction on the harvesting of large Bayogo commonly known as Saint Thomas Bean or its scientific name *Entata Phaseoloides* and the small Bayogo commonly known as Sea Bean or its scientific name *Macuna Gizantea* from the First Senatorial District of Rota; and for other purposes. (SEN. R. S. ATALIG)

**BILL CALENDAR**

The Chair recognized Floor Leader Adriano.

Floor Leader Adriano: We have on our Bill Calendar, Mr. President, House Bill No. 12-404, CS1, HD4, SS1, FY 2002 Budget, House Bill No. 12-416, HS1, "Fuel Tax", House Bill No. 12-374, and Senate Bill No. 12-127. I move to suspend all pertinent rules so we can act on these bills on Final Reading.

The motion to suspend all pertinent rules was carried by voice vote.

HOUSE BILL NO. 12-404, COMMITTEE SUBSTITUTE 1, HOUSE DRAFT 4, SENATE SUBSTITUTE 1: A BILL FOR AN ACT TO MAKE APPROPRIATIONS FOR THE OPERATIONS AND ACITIVITIES 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 2002; AND FOR OTHER PURPOSES.

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

President Manglona: It has been moved and seconded.

Senator Dela Cruz: I have an oral amendment, Mr. President in reference to the figures in the worksheet. On page 2 of the Summary, I would like to change the final figure for the Second Senatorial District from \$16,074,000 to \$16,500,000. I would like to also replace pages 36 all the way to page 40, and the difference, if we adjusted from the Utilities which is \$2 million, a difference from the original figure, to the figure ---- and on item (h) of the



Summary sheet, I would like to include an additional \$700,000 for the Northern Marianas College, Mr. President. I so move.

President Manglona declared the Senate recessed at 2:30 p.m.

**RECESS**

The Senate reconvened at 2:45 p.m.

President Manglona: Thank you for your patience. Let us now resume with our session. We are still discussing House Bill No. 12-404, CS1 HD4, SS1. During recess, Senator Dela Cruz offered an amendment. So, at this time, I would like to recognize Senator Dela Cruz to clarify the amendment that his offering before us.

**FLOOR AMENDMENT**

**Offered by: Sentaor Jose M. Dela Cruz**

**Date: 09/27/01**

**RE: H.B. NO. 12-404, CS1, HD4, SS1**

**Subtract from Utilities-\$2,000,000 the following:**

**1. \$851,802 for Rota and Tinian**

- (a) **\$425,901-Rota**  
**-\$100,000 Commerce (62050)**  
**-\$100,000 DNR Machinery (\$50,000 ea Agr. & F&W)**  
**-\$225,901 Public Health – Mach. Equip. ( 64540)**

**\$16,500,000 total for Rota**

- (b) **425,901-Tinian (See Worksheet)**

**\$16,500,000 total for Tinian**

**B. \$700,000 add to NMC.**

**Date: 09/27/01**

**Offered by: \_\_\_\_\_/s/  
Sen. J. M. Dela Cruz**

Senator Dela Cruz: Of the \$2 million under the \$Utilities, \$426,000 will to go to Page 2 of the Summary, item (f). The Second Senatorial District's total figure should reflect \$16.5 million. And on item (e) for the First Senatorial District, Rota, an additional of \$426,000. The bottom figure should also reflect \$16.5 million. Seven hundred thousand dollars should go to Northern Marianas College and that is on item (h), number 4. The rest should stay with CUC for payment. I so move, Mr. President, to replace pages 36 to 40 of the Budget worksheet. I provided already copies of the replacement.

President Manglona: Page 36 to 40 reflects the Second Senatorial District budget break down, and let us clarify this. So, the First Senatorial District break down is not much different.

Senator Atalig: Further clarification on the break down, Mr. President. For Commerce, I would like to add \$100,000, and for Public Health \$225,901, and, also, Lands and Natural Resources \$100,000 for operation. Overall, that should be \$425,901. Thank you.

President Manglona: With that, is there any discussion?

The adoption of the amendment as offered by Senator Dela Cruz carried by voice vote.

President Manglona: We are back to House Bill No. 12-404, SS1, as amended.

Senator Maratita: *Si Yu'us ma'asi*, Mr. President. *Yahu na bai rekognisa iyot-ta* Senate Clerk as Nikki yan i Legal Counsel as Tony ni un li'e ha', Mr. President, *na hu instruct na para ta na funhayan este budget. Yanggin guaha siha guine lache' dispensa yu' gi enao siha na changes sa in li'e ha na hu alulayi ha pot para tafan session pa'gu. Ya esta gue minauleg-ña pagu i man akomprende hit ni komitte ni para ta balance este na budget ya ta espiha mas taimanu ni para ta ayuda siha i taotao-ta.* Mr. President, *si Yu'us ma'ase.*

The Chair recognized Senator Guerrero.

Senator Guerrero: Mr. President, thank you. *Taigue hi ha earlier I hu sangan nai pot i iyot-ta budget situation. Malago yu' lokue para bai mumuye iyok-ku mayot Saipan. Lao ti baihu cho'gue enao pa'go na ora sa hutungu ha na ni taimanu para bai hu cho'gue para bai hu tulaika i litratun i budget ni para ta pasa. Ti hu tungu manu para ta chu'lie salape, para record este gi ofisinan Mayot Saipan, dos punto ocho, ocho seru miyon iyon-ña budget versus Tinian ni kuarto miyon kuarto nuebe sais siete mit yan para Luta tres punto unu nuebe sais sentos mit. Ti bai hu aguguat lao siña lokue guaha direchok-ku kumu hu represententa i taotao hu Saipan. Debi de uma doblen tres biahe i mayot Saipan sa pot para ufan -- fiera de enao guaha lokue taotao Tinian yan Luta. Megai sumasaga Saipan, lao ti-matu i chiña guenao ya guahu, Mr. President hu gagagao i man gacho 'ng hu na para hu guaha unity guine sa man gaige hit gi crisis pa'go. Debide hu sakrifisia, hu komprende ha hafa gi Noviembre mamaila. Lao, ilek-ku na i publikun Tinian, Luta yan Saipan hu mas ni debide lokue de fan mangomprende na guaha crisis. Ya puede mohon an mu mauleg i ekonomia, enao gue si Senator Maratita iyon-ña Senate Bill No. 12-127, siña inaregla ginen este. Lao para i record, iyon-mame mayot Saipan dos punto ocho miyon ha iyon-ña budget. Si Yu'us ma'ase.*

President Manglona: Thank you, Senator Guerrero. Is there any other discussion? We are ready to vote on House Bill No. 12-404, CS1, HD4, SS1, 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	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	No
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Excused
Senator Thomas P. Villagomez	No
President Paul A. Manglona	Yes

Six (6) members voted yes and two (2) no.

President Manglona: By a vote of six (6) yes, and two (2) no, the Senate hereby passes House Bill No. 12-404, CS1, HD4, SS1, as amended, on Final Reading.

HOUSE BILL NO. 12-416: A BILL FOR AN ACT TO AMEND 4 CMC §1803 BY ADDING A NEW SUBSECTION; AND FOR OTHER PURPOSES.

Floor Leader Adriano move for the passage of House Bill No. 12-416 on Final Reading, and several members seconded.

President Manglona declared the Senate recessed at 2:30 p.m.

RECESS

The Senate reconvened at 2:45 p.m.

President Manglona: Let us resume with our regular session. We are still under the Final Reading Calendar. We are discussing House Bill No. 12-416 and Senator Adriano has the floor.

Floor Leader Adriano: I would like to make an oral floor amendment, Mr. President. That will include another subsection which is line 9, through, line 10, and that will be (c).

President Manglona: Floor Leader Adriano, let me interrupt. During the discussion during the recess, there was a recommendation that we could just stay in one section so that we can avoid a section veto in this particular bill. It will reflect your amendment under the same section, if that is agreeable.

Floor Leader Adriano: So agreed, Mr. President. The language should be Deputy Marketing Director funded by the Board of Directors. That is a motion.

President Manglona: Is there any discussion?

Senator Atalig: Floor Leader Adriano, can you clarify where to put the amendment? Is it after the word “destination” on line 10? After the word “destination”, we can put “Deputy Marketing Director, one each for Rota and Tinian.” Because its only Marketing Director, but which island?

Floor Leader Adriano: First and Second Senatorial Districts.

President Manglona: The reasons why the Chairman summarized the motion—and let us have the legal counsel word the amendment. But, that is correct. The motion is for First and Second Senatorial Districts. Is there any further discussion?

Several members voiced, “ready”, and the oral floor amendment as offered by Floor Leader Adriano was carried by voice vote.

President Manglona: We are back to House Bill No. 12-416, HS1, as amended. Is there any further discussion?

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

Eight (8) members voted yes.

President Manglona: By a vote of eight (8) yes, House Bill No. 12-416, HS1, as amended, passes the Senate.

Floor Leader Adriano: Yes, Mr. President. Can we go back to House Communication No. 12-307? I would like to make a motion to recall House Bill No. 12-361, HD2, from the Governor and that is relating to Executive Order 94-3.

HOUSE BILL NO. 12-361, HOUSE DRAFT 2: A BILL FOR AN ACT TO REPEAL SECTION 301 (b) (5) OF EXECUTIVE ORDER 94-3; TO AMEND 3 CMC SECTION 4424; TO AMEND 4 CMC SECTION 1803; AND FOR OTHER PURPOSES.

Several members voiced, “second”.

President Manglona: Is there any discussion?

Several members voiced, “ready”.

President Manglona: We will be voting on the recall of House Bill No. 12-361, HD2, under House Communication No. 12-307. 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	Excused
Senator Thomas P. Villagomez	No
President Paul A. Manglona	Yes

Seven (7) members voted yes and one (1) no.

President Manglona: By a vote of seven (7) yes, and one (1) no, the motion to recall House Bill No. 12-361, HD2, is hereby adopted by the Senate.

SENATE BILL NO. 12-127: A BILL FOR AN ACT TO ESTABLISH A CENTRAL ECONOMIC RECOVERY COMMISSION; AND FOR OTHER PURPOSES.

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

President Manglona: Is there any discussion?

Senator Cing: Mr. President, can we hear from the author what actually is the intention for the creation of this task force?

Floor Leader Adriano: I would like to speak on behalf of the author, Mr. President.

President Manglona: Probably, Senator Cing did not watch TV last night.

Floor Leader Adriano: I yield to my good colleague, Senator Maratita.

Senator Maratita: *Si Yu'us ma'ase, Mr. President. Taimanu ha etyi I un sangan ya ta li'e ha enao gi television ya ta nisita este is para tana' guaha economic recovery commission. Ya mauleg sa humalom guine i membron commission siha. Lao, gi magahet hu propose etyi na klasen economic recovery commission i Gobietno, Presidenten i Senate, Speaker of the House, President of the Hotel Association, Immigration, Chief of Custom, CPA Executive Director, ya hu fan hanao para Japan ya ta promote i iyot-ta destination field na safe na lugat. Taya militad anai siña i tourist gumaha sinenten ñiha ni etyi i protection ya taya un dia ni para ufan hanao magi, dos oras ha magi i kareran ñiha, ya man bonitu lokue I iyot-ta hotel guine yan man gasgas i tasi-ta. Seguro yu' na taya interest-ña guine i terrorist na para u halom sa taya militad-ta guine. Enao gue i terrorist man man concern niha I yangin guaha militad yan megai na taotao. Pues etyu gue na huna huyong este i para i Gobietno hu fotma*

*este na komision ya munga hit na para tafan man gagao taftaf guato Amerika bail out ya ti ha li'e Amerika kao siña ta susteni hit naya ya ta aligao gi halom hita ha ni para taimanu ta ayudan maisa hit. Munga na para tafan gotpe ha ya para ta fan mangagao Federal Aid. Sa ombres i Amerikano gi pa'go man problema, pues este gue na bill para hu dididi hu ma form i commission ya ufan dan-ña este siha na taotao kosa ke ta atan mo'na iyot-ta economic condition sa este na karera ti agupa ha, agupa-ña, pat otro sakan. Anako este, Mr. President, ya ayo hutiningo siña guaha gera. Pues gi hilo enao, Mr. President, humuyong este na bill anai sina ta ayudan maisa hit lokue. Ya yanggin esta ha li'e i Amerikano na ta fail tododo iyot-ta avenue, humalom yu' siempre na yanggin man hanao hit guato para tafan man gagao subsidy na siempre man ma konsidera hit. Este ha' si Yu'us ma'ase.*

The Chair recognized Senator Atalig.

Senator Atalig: Thank you, Mr. President. There are two points here that I want to make. As I reviewed the bill, I saw no compensation for the commission. That is one area I see and probably, it is because of our crises. And, number two, composition of the commission. I do not see Tinian and Rota being included in here. I do not know if I can make an oral amendment so that we can include Rota and Tinian also in the composition of the committee. It is very essential and important that one from Rota and one from Tinian should be part of this commission. I do not know if I am in order.

President Manglona declared the Senate recessed at 2:50 p.m.

**RECESS**

The Senate reconvened at 3:10 p.m.

President Manglona: Let us resume with our session. We are still discussing Senate Bill No. 12-127, and Senator Atalig has oral amendment to offer.

Senator Atalig: Thank you, Mr. President. I would like to offer an oral amendment. On page 1, line 20, after the word “act” delete the (.). On page 2, line 4, delete “13 members”, and “seventeen (17) members”. Also, I would like to add new subsections for additional members, one member from each Senatorial District, Rota and Tinian, and also to include the Speaker of the House and the President of the Senate. Also, after line 32, add a new subsection to read, “(d). “Commission members shall be compensated pursuant to 1 CMC 8247”.

Senator Guerrero voiced, “second”.

President Manglona: Is there any discussion?

Vice President Villagomez: Can we further make an amendment on the number of members so that we do not have to wait to get all the 17 members to organize?

President Manglona: Is there any further discussion?

Vice President Villagomez: I just want to comment on the communication, Mr. President. We are in a tight period especially after the crisis. I just want to point out the SEGC, the Strategic Economic Government Control have been very supportive and have been working without any compensation. They have done some recommendations over to the Legislature. I just want to point out that one of the recommendations was the fuel tax. And, after the recommendation we finally got it going again, but the recommendation came from the SEGC. I hope that when we created this task force, we were mindful of their recommendations because I don't think we need anymore commissions. If we want to create a commission and to be compensated for their meetings, we have to make sure that we at least try to address the recommendations that were submitted by the task force that we have created.

The Chair recognized Senator Atalig.

Senator Atalig: Can you clarify? I think Vice President Villagomez wants to include his amendment.

Vice President Villagomez: I just pointed out that SEGC....

President Manglona: On the amendment regarding the 17 members, do you want to make sure that at least fifteen members of the commission....

Senator Atalig: So, there is no clarification here as to the quorum.

President Manglona: On Page 2, line 4, it reads, “to be composed of no more than 17 members”.

Senator Atalig: That is fine, 17 members. But how can we conduct business? How many members should be present to conduct business, or should we clarify that? Should we say that all the 17 members have to be present to conduct business? I need to clarify that.

Senator Dela Cruz: It needs two-thirds of that group.

President Manglona: So the word “seventeen” is okay. Let us say that they can conduct a meeting with nine members being present. I believe the amendment is clear to all the members.

Vice President Villagomez: Mr. President, so what happens if the appointment started out with or without eight (8) and the others were late? If after 30 days and there has been appointments of only nine members, what then?

President Manglona: That is a good point and I think that we should stick to the word “not to exceed 17 members”. Even if we have 11 or 12, as long as there are more than 9, they still can proceed. So, the amendment would be to change the word “composed of 17 members” to “composed of not more than 17 members”, the quorum of 9 members present, the amendment of one each from Rota and Tinian, and the amendment of subsection (d) regarding the composition. So, with that, is there any other discussion? Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Eight (8) members voted yes.

President Manglona: The amendment is hereby passed and we are back to Senate Bill 12-127, as amended. Is there any further discussion?

Several members voiced, “ready”.

President Manglona: Senate Clerk, call the roll the 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	Excused

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

Eight (8) members voted yes.

President Manglona: By a vote of eight (8) yes, Senate Bill No. 12-127, as amended, passes the Senate.

SENATE BILL NO. 12-123: A BILL FOR AN ACT TO MAKE AMENDMENTS TO THE BOARD OF PUBLIC LANDS ACT OF 2000, 1 CMC § 101 (a), SECTION 102, § 104 (h) AND § 106 (d); AND FOR OTHER PURPOSES.

Floor Leader Adriano: Yes, Mr. President, this is a motion to accept the amendment from the House on Senate Bill No. 12-123, under House Communication No. 12-298. This is the Public Land Authority bill. I so move.

Several members voiced, "second".

President Manglona: Is there any discussion?

President Manglona declared the Senate recess at 3:15 p.m.

**RECESS**

The Senate reconvened at 3:35 p.m.

President Manglona: We are back to our regular session. We are voting to accept the House amendments to Senate Bill No. 12-123. Is there any further 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	Excused
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Eight (8) members voted yes.

President Manglona: By a vote of eight (8) yes, the Senate hereby passes Senate Bill No. 12-123, as amended by the House, on Final Reading.

HOUSE BILL NO. 12-411: A BILL FOR AN ACT TO REAPPROPRIATE THE SUM OF \$2,790,000 FROM SUBSECTION (b)(1) OF SECTION 4 OF PUBLIC LAW 11-89; AND FOR OTHER PURPOSES.

Floor Leader Adriano 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	Excused
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Eight (8) members voted yes.

President Manglona: By a vote of eight (8) yes, the Senate hereby passes House Bill No. 12-411 on Final Reading.

HOUSE BILL NO. 12-401, HOUSE DRAFT 2: A BILL FOR AN ACT TO REAPPROPRIATE AND AUTHORIZE THE EXPENDITURE OF TWO HUNDRED EIGHTY THOUSAND DOLLARS (\$280,000,) FROM CERTAIN FUND BALANCES AVAILABLE FROM APPROPRIATIONS UNDER SUBSECTIONS 530 (e) AND (f) OF PUBLIC LAW 10-41; AND FOR OTHER PURPOSES.

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

President Manglona: Senator Atalig, can you give us the title, please?

Senator Atalig: This is the bill about the \$280,000 which is a local CIP funding for Rota. As you recall, Representative Malua Peter inserted the expenditure authority for Mr. Pellegrino and at the same time to the Mayor. What I am trying to do is to make an amendment for that appropriation. If I am in order, Mr. President, I would like to offer a floor amendment for the members to see.

Several members voiced, “second”.

President Manglona declared the Senate in recess.

**RECESS**

The Senate reconvened.

President Manglona: We are back to our regular session. We are discussing House Bill No. 12-401, HD2. Senator Atalig has passed copies of his amendment. Is there any discussion?

**“FLOOR AMENDMENT**

**Date:** September 27, 2001  
**Offered by:** Senator Ricardo S. Atalig  
**Re:** H.B. 12-401, HD2

1. Page 2, lines 9 to 16, delete and insert the following:  
 “a) For Rota Liaison Office:

1)	Procurement of 2 unit Van	\$54,000
2)	Procurement of 1 unit pick up truck	\$15,500
3)	Building renovation, collateral	



	equipment and furnishings	\$59,600
b)	Basketball courts renovation	\$50,000
c)	For restoration of the Tatachog Village rectory as public museum	\$50,000
d)	Mayor’s official representation	\$50,900

2. After line 16, insert a new section 3 to read:

“Section 3. Expenditure and Reprogramming Authority. The expenditure authority for funds reappropriated under section 2, of this act shall be the Mayor of Rota. The mayor may reprogram funds within the projects as he deems necessary pursuant to applicable statutes.”

3. Renumber subsequent sections accordingly.”

Several members voiced, “ready”, and the adoption of the floor amendment as offered by Senator Atalig carried by voice vote.

President Manglona: We are back to House Bill No. 12-401, as amended. Is there any further 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	Excused

Vice President Villagomez: I am willing to vote for it, but I don’t have a copy of House Bill No. 12-401. I am sorry.

President Manglona declared Senate in recess at 3:45 p.m.

**RECESS**

The Senate reconvened at 3:46 p.m.

President Manglona: We are back to our session. Senate Clerk, call the roll please.

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

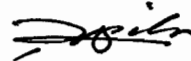
Eight (8) members voted yes.

President Manglona: By a vote of eight (8) yes, House Bill No. 12-401, HD2, as amended, passes the Senate.

Floor Leader Adriano: Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The being no objection, President Manglona declared the Senate stands in recess subject to the call of the Chair at 3:50 p.m.

Respectfully submitted,



Ramona I. Kapileo  
Senate Journal Clerk

Adopted: Jan. 11, 2002