

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

Seventh Day

Tuesday, December 18, 2001

The Senate of the Twelfth Northern Marianas Commonwealth Legislature, Seventh Day, Fourth Regular Session, 2001, was called to order at 11:50 a.m. in the Senate Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

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

A moment of silent prayer was observed.

The Senate Clerk called the roll and eight (8) members were present. Senator Edward U. Maratita was absent.

**READING AND APPROVAL OF THE JOURNAL**

None

**MESSAGES FROM THE GOVERNOR**

Gov. Mesg. No. 12-942: November 16, 2001 – Certification that the position of Marina Technician III in the Department of Lands and Natural Resources is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-943: November 16, 2001 – PL 11-6 Exemption for SD Enterprises.

Gov. Mesg. No. 12-944: November 16, 2001 – PL 11-6 Exemption for Jun Jun Corporation.

Gov. Mesg. No. 12-945: November 16, 2001 – PL 11-6 Exemption for Nobuki T. Babauta dba Tokyo-En Restaurant Mitch's Bar & Grill.

Gov. Mesg. No. 12-946: November 16, 2001 – PL 11-6 Exemption for Uni-World International, Inc. dba Uni-World Construction Co.

Gov. Mesg. No. 12-947: November 19, 2001 – Informing the Legislature that he had signed into law HB 12-254, entitled, "To control the usage of fire protection equipment and fire hydrants." (PL 12-74 – 11/19/01)

Gov. Mesg. No. 12-948: November 19, 2001 – Informing the Legislature that he had signed into law HB 12-395, entitled, "To require the Commonwealth Health Center to provide free counseling and screening of pregnant woman in order to prevent the prenatal transmission of Human Immunodeficiency Virus (HIV) and to provide for clear authority for medical care providers to provide medical care related to the testing and counseling of sexually transmitted diseases, who requested such care without parental consent." (PL 12-75 – 11/19/01)

Gov. Mesg. No. 12-949: November 20, 2001 – Certification that the position of Secretary at the Workforce Investment Agency is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-950: November 26, 2001 – Certification for that two positions of Juvenile Correction Worker II at the Division of Youth services are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-951: November 26, 2001 – PL 11-6 Exemption for the Supermodel Saipan, Inc.

Gov. Mesg. No. 12-952: November 26, 2001 – PL 11-6 Exemption for Compubliz Inc. Saipan (CBIS).

Gov. Mesg. No. 12-953: November 28, 2001 – Certification that the position of Community Specialist at the Carolinian Affairs Office is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-954: November 28, 2001 – From SAPLR acknowledging receipt of Joint House Commemorative Resolution No. 12-1.

Gov. Mesg. No. 12-955: November 28, 2001 – Certification that 10 positions at the CHC are vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-956: November 28, 2001 – Certification that the position of Planner IV at the Developmental Disabilities Council is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-957: November 29, 2001 – PL 11-6 Exemption for Hafadai Beach Hotel.

Gov. Mesg. No. 12-958: November 30, 2001 – Certification that the position of Community Worker at the Office of the Mayor of the Northern Islands is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-959: November 30, 2001 – Informing the Legislature that he had disapproved HB 12-136, entitled, “To establish the CNMI Product Seal.” **(DISAPPROVED-11/30/01)**

Gov. Mesg. No. 12-960: November 30, 2001 – Informing the Legislature that he had signed into law HB 12-103, CD1, entitled, “To create the Business License Application Task Force to formulate a plan for a One-Stop Business License Center.” **(PL 12-76 – 11/30/01)**

Gov. Mesg. No. 12-961: November 30, 2001 – Informing the Legislature that he had signed into law SB 12-121, the “Fair Fishing Amendment Act of 2001.” **(PL 12-77-11/30/01)**

Gov. Mesg. No. 12-962: November 30, 2001 – Informing the Legislature that he had signed into law SB 12-84, SD1, entitled, “To provide authority to the CNMI Department of Public Safety to submit relevant personal data to Selective System in order to register male residents in the CNMI as required by Federal law and to ensure that CNMI citizens are in compliance with Federal Law pertaining to same.” **(PL 12-78 – 11/30/01)**

Gov. Mesg. No. 12-963: December 5, 2001 – Informing the Senate that he had disapproved HB 12-12, entitled, “To allow the Department of Public Lands to quiet title to certain properties in the Chalan Kanoa area of Saipan; and for other purposes.” **(DISAPPROVED ON 12/5/01)**

Gov. Mesg. No. 12-964: December 6, 2001 – Certification that the position of Legal Secretary at the office of the Attorney General is vacant and must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-965: December 6, 2001 – Certification that the following positions at the Department of Public Safety are vacant and must be filled during the period of continuing resolution: 3 Police Lieutenants; 1 Director of Police; 1 Summons Officer; and 1 Clerk Typist III.

Gov. Mesg. No. 12-966: December 12, 2001 – PL 11-6 Exemption for Bank of Hawaii.

Gov. Mesg. No. 12-967: December 12, 2001 - PL 11-6 Exemption for USA Fanter Corporation Ltd.

Gov. Mesg. No. 12-968: December 12, 2001 - PL 11-6 Exemption for Cui Rong Corporation.

Gov. Mesg. No. 12-969: December 13, 2001 - Certification that the position of Plan Examiner, Mechanical, at the Department of Public Works, is vacant and must be filled during the period of continuing resolution.

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

Judicial Comm. No. 12-12: November 21, 2001 – Certification that the position of Associate Judge in the Commonwealth Superior Court is vacant and must be filled during the period of continuing resolution.

Judicial Comm. No. 12-13: November 21, 2001 – Certification that the position of Secretary to Associate Judge is vacant in the Commonwealth Superior Court and must be filled during the period of our present continuing resolution.

#### **COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS**

None

#### **HOUSE COMMUNICATIONS**

Hse. Comm. No. 12-320: Transmitting for Senate action HB 12-355, CD1, HD1, entitled, “A Bill for an act to amend the Medical Practice Act (3 CMC § 2201 et seq.) to provide for the licensing of foreign doctors; and for other purposes.”

Hse. Comm. No. 12-321: Transmitting for Senate action HB 12-400, CS2, entitled, “A Bill for an Act to authorize the commercial operation of amusement machines at the airports and seaports of the CNMI; to waive the applicable license fees for amusement machines owned or operated by the CPA at the airports and seaports of the Commonwealth; and to waive any restriction regarding the maximum number of amusement machines that the CPA may own or operate at the public airports and seaports of the Commonwealth; and for other purposes.”

Hse. Comm. No. 12-322: Returning without amendment SB 12-84, SD1, the “CNMI Selection Service Enrollment Act of 2000.”

Hse. Comm. No. 12-323: Returning without amendment SB 12-121, the “Fair Fishing Amendment Act of 2001.”

Hse. Comm. No. 12-324: Transmitting for Senate action HB 12-296, entitled, “A Bill for an Act to amend 1 CMC, Section 2901, to prescribe minimum qualifications for appointment to and termination of membership in public boards, commissions, authorities, and other public advisory councils, and for other purposes.”

Hse. Comm. No. 12-325: Transmitting for Senate action HB 12-425, entitled, “A Bill for an Act to address the national need for uniformity in the modern profession and discipline of nursing in matters of licensure and overall regulation by repealing Public law 3-29, codified at 1 CMC § 2643 and at Title 3 CMC, Div. 2, Chapter 3, Articles 1 thru 7, and by enacting a comprehensive updated system for the regulation of the practice of nursing; and for other purposes.”

Hse. Comm. No. 12-326: Informing the Senate that the House accepted the Senate amendments to HB 12-391, CD1, entitled, “A Bill for an Act to clarify provision of the CNMI tax laws and ensure that no double taxation is imposed on exporters of goods, fish and agricultural products produced in the Commonwealth and exported to buyers outside the Commonwealth; and for other purposes.”

Hse. Comm. No. 12-327: Transmitting for Senate action HB 12-426, entitled, “A Bill for an Act to amend Section 2(b)(1) of Public Law 11-7 to relocate the site to Tatachog, Rota and to transfer responsibility of the completed A&E and construction of a vocational shop and JROTC classrooms including storage rooms for the Rota High School to the Northern Marianas college for use by the college as their new campus; and for other purposes.”

Hse. Comm. No. 12-328: Transmitting for Senate action HB 12-247, entitled, “A Bill for an act to amend Title 6, Division 3, Chapter 1, 3108(a) and (b); and for other purposes.”

Hse. Comm. No. 12-329: Transmitting for Senate action HB 12-316, CD1, entitled, “A Bill for an Act to amend 4 CMC Section 5642 by adding a new subsection; and for other purposes.”

Hse. Comm. No. 12-330: Informing the Senate that the House filed SJR 12-6, entitled, “A Senate Joint Resolution urging the United States Federal Communications Commission to change the urban designation of the CNMI, the Territory of Guam, and American Samoa from their respective capital cities to the City of Honolulu, Hawaii.”

Hse. Comm. No. 12-331: Returning **with amendment** SB 12-33, entitled, “A Bill for an Act to repeal and reenact 6 CMC 1311(c) to increase the penalties for sexual abuse of a child; and for other purposes.” (NEEDS SENATE ACTION ON CD1)

Hse. Comm. No. 12-332: Transmitting a **certified copy** of HR 12-167, entitled, “Requesting the Commonwealth Ports Authority to expedite their plans for the development of port-related support facilities near the Port of Saipan.”

Hse. Comm. No. 12-333: Transmitting a **certified copy** of HR 12-188, entitled, “To recognize and commend Lieutenant Freddie Guajardo, officer Jessie Atalig, officer Patrick Pua, and the Division of Customs Service for their hard work, dedication, and concerted effort in completing the Drug Detector Dog Training Instructor Course, thus enhancing its enforcement by establishing the first CNMI Division of Customs Service Drug Detector Dog Training Center.

**WASHINGTON REPRESENTATIVE'S COMMUNICATIONS**

None

**STANDING COMMITTEE REPORTS**

None

**SPECIAL/CONFERENCE COMMITTEE REPORTS**

None

**UNFINISHED BUSINESS**

None

**PREFILED BILLS AND RESOLUTIONS**

Sen. Res. No. 12-56: A Senate Resolution recognizing and congratulating the Honorable Jose R. Lifofoi of Saipan, in his recent appointment by the President of the Republic of Palau as Honorary Consul General to the Commonwealth of the Northern Mariana Islands. (SEN. PETE P. REYES – 12/17/01)

Sen. Bill No. 12-130: A Bill for an Act to amend the Commonwealth Museum Act of 2001 and for other purposes. (SEN. THOMAS P. VILLAGOMEZ – 12/12/01)

Sen. Bill No. 12-131: A Bill for an Act to amend the Investment and Incentive Act of 2000, 4 CMC Section 3301, et. Seq., and for other purposes. (SEN. PETE P. REYES – 12/17/01)

Floor Leader Reyes: Mr. President, I would like to withdraw Senate Bill No. 12-131.

Senator Dela Cruz voiced, “second”, and there being no objection it was so ordered.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Sen. Bill No. 12-132: A Bill for An Act to amend the qualifications of the board of directors of the commonwealth utilities corporation and other board and commissions; and for other purposes. (SEN. DAVID M. CING)

**BILL CALENDAR**

Floor Leader Reyes moved for the suspension of all pertinent rules to allow for the passage of the bills on the Final Reading Calendar. Several members seconded. There being no discussion, the motion was carried by voice vote.

HOUSE BILL NO. 12-396: A BILL FOR AN ACT TO AMEND PUBLIC LAW 12-6; AND FOR OTHER PURPOSES.

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

**(Journal Clerk's Note: The discussion was not recorded)**

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

Eight (8) members voted yes.

SENATE BILL NO. 12-125: A BILL FOR AN ACT REVISE AND REFORM THE CRIMINAL LAWS CONCERNING SEXUAL ASSAULT AND SEXUAL ABUSE OF MINORS IN THE COMMONWEALTH.

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

**(Journal Clerk's Note: The discussion was not recorded)**

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

Eight (8) members voted yes.

HOUSE BILL NO. 12-355, COMMITTEE DRAFT 1, HOUSE DRAFT 1: A BILL FOR AN ACT TO AMEND THE MEDICAL PRACTICE ACT (3 CMC § 2201 ET SEQ.) TO PROVIDE FOR THE LICENSE OF FOREIGN DOCTORS; AND FOR OTHER PURPOSES.

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

**(Journal Clerk's Note: The discussion was not recorded)**

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

Eight (8) members voted yes.

HOUSE BILL NO. 12-426: A BILL FOR AN ACT TO AMEND SECTION 2(b)(1) OF PUBLIC LAW 7-1 TO RELOCATE THE SITE TO TATACHOG, TORA AND TO TRANSFER RESPONSIBILITY OF THE COMPLETED A&E AND CONSTRUCTION OF A VOCATIONAL SHOP AND JROTC CLASSROOMS INCLUDING STORAGE ROOMS FOR THE ROTA HIGH SCHOOL TO THE NORTHERN MARIANAS COLLEGE FOR USE BY THE COLLEGE AS THEIR NEW CAMPUS; AND FOR OTHER PURPOSES.

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

**(Journal Clerk's Note: The discussion was not recorded)**

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

Eight (8) members voted yes.

SENATE BILL NO. 12-132: A BILL FOR AN ACT TO AMEND THE QUALIFICATIONS OF THE BOARD OF DIRECTORS OF THE COMMONWEALTH UTILITIES CORPORATION AND OTHER BOARD AND COMMISSIONS; AND FOR OTHER PURPOSES.

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

**(Journal Clerk's Note: The discussion was not recorded)**

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

Eight (8) members voted yes.

SENATE BILL NO. 12-130: A BILL FOR AN ACT TO AMEND THE COMMONWEALTH MUSEUM ACT OF 2001 AND FOR OTHER PURPOSES.

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

**(Journal Clerk's Note: The discussion was not recorded)**

The Senate Clerk called the roll with the following result:

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

Seven (7) members voted yes and one (1) abstention.

HOUSE BILL NO. 12-380, HOUSE DRAFT 1, HOUSE SUBSTITUTE 1: A BILL FOR AN ACT TO AMEND THE INVESTMENT AND INCENTIVE ACT OF 2000, 4 CMC SECTION 3301, ET SEQ., AND FOR OTHER PURPOSES.

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

President Manglona: Is there any discussion?

Vice President Villagomez: Thank you, Mr. President. I have a floor amendment. The contents of SB 12-131, which was introduced earlier and was later withdrawn, will substitute the contents of House Bill No. 12-380, HD1, HS1, in its entirety.

Several members voiced, "second".

President Manglona: Is there any discussion?

Several members voiced, "ready", and the motion to adopt the floor amendment as offered by Vice President Villagomez was carried by voice vote.

President Manglona: We are still discussing House Bill No. 12-380, HD1, HS1.

Floor Leader Reyes: Mr. President, I have no objection to the amendment under Section 3324 on the first paragraph. I would like to offer an oral amendment on the second paragraph beginning on line 25, where it says, "serve the tourism industry in the senatorial districts of Rota and Tinian", to include Saipan. My amendment is to include Saipan. Mr. President, I would like to clarify the reason why I am making this amendment. This bill appears to be a special interest bill, specifically identifying, singling out, specific businesses in Rota and Tinian to qualify under the Qualifying Certificate at CDA's discretion. We do have a lot of businesses in Saipan that are also suffering economically. We need to include these other businesses so that this particular legislation does not appear

to be a special interest legislation by specifically identifying special businesses on the island of Tinian and Rota and excluding the island of Saipan. I wish to point out to the members, and maybe I do not have the votes, but I would like to put on record, that Saipan is economically suffering just as much as any other of the two islands in the Commonwealth. Whenever the revenue in Saipan goes down, if we don't lift a finger to help these businesses then, Mr. President, the alternative is that they would fold up their businesses and leave and everybody loses including Tinian and Rota. And most specifically, the island of Saipan will suffer the most because the employees operating under these businesses would be terminated, revenue would disappear, and all the multiplier affect by businesses on the island of Saipan would cease to exist. Everybody loses out. Everyone loses out, and if we were to assist the businesses, then let's be fair. Let's be fair and let's apply it to all the businesses in the Commonwealth and not just to two islands. What I would like to do is offer that amendment so that we would have an even-level playing field for all businesses in the Commonwealth and not just for specifically identified businesses that we want to help. Because I am in favor, I support the idea of helping out the Tinian Dynasty and I support the idea of helping out the Rota Resort Golf Course, but I think that our job does not end there. We are just helping those two businesses. We need to help others also in Saipan that are suffering. And I ask my colleagues to join me in rising to allow a level playing field for the rest of the businesses similar to that being experienced by Rota and Tinian, because we do need to make sure that we keep the operation of Rota and Tinian going. We need to help them and if we need to amend the law to a specific language to include them, then let us do that for everybody. I have no problem, Mr. President, with helping out Rota and Tinian and I support this. But, I think that we need to be fair. We need to be fair and we also need to recognize the other businesses in Saipan that are suffering just as much. By singling out the resort in Rota and the casino in Tinian, we are sending out a very strong negative message to the general public, especially to the constituencies in Saipan that we do not care about them when we should. So, I want this statement to go in the record.

President Manglona called for a recess at 12:19 p.m.

RECESS

The Senate reconvened at 12:30 p.m.

President Manglona: We are back to our regular session.

Senator Dela Cruz: Just like I mentioned, we want to be able to help the businesses here in the CNMI, Mr. President, and please help me out here. But, at the same time also, we are very cognizant of the fact that we can not open this thing to everybody. This is a compromise position that we're looking at that possibly it can pass through the House and also gets the blessing from agencies that are going to be taking care of this particular statute once it gets through the Governor's office. So, I don't see why we're going to take a chance to continue to make amendments to this bill when we know very well that it is very sensitive to touch.

Floor Leader Reyes: Mr. President, can I respond to that?

President Manglona: Please, Floor Leader Reyes.

Floor Leader Reyes: Mr. President, I can not imagine how members of the House who are representing the island of Saipan can refuse to support a legislation that includes Saipan in an amendment to allow dying business in Saipan to qualify under the second paragraph of this amendment. I can not imagine any member of the House representing Saipan standing up and saying that they are not going to support the inclusion of Saipan in a legislation that would allow an even playing field for all businesses that are suffering economically. It is just beyond reason, even logic, to think that this would not pass the House.

The Chair recognized Senator Guerrero.

Senator Guerrero: Thank you, Mr. President. For the record, when I did the amendment yesterday to this Senate Bill -- the purpose I included Rota and Tinian is specifically that Public Law 12-32 has given all the leeway that is necessary. To me, I am looking at Rota and Tinian and looking at Saipan as the mother who feeds the two babies. That was the intended purpose of putting this amendment. The other concern I have is, unless, and I apologize to Senator Reyes, but you had introduced and you authored the bill and you are arguing against the bill that you introduced....



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

President Manglona: State your point, Floor Leader Reyes.

Floor Leader Reyes: Mr. President, if the members can recall, I withdrew the bill. This bill was taken out of context from the bill that I introduced and the reason for withdrawing that is because I became aware that there is a need for Saipan to be included and that was the reason why I withdrew the bill that I have introduced. Furthermore, it was brought to my attention that the Senate bill can not be offered because it embraces or encroaches into the responsibility of the House of Representatives where an appropriation or revenue legislation should originate. And that was part of the reason that I withdrew my bill, but even if my bill were to be entertained, I would have made that amendment anyway.

The Chair recognized Senator Guerrero.

Senator Guerrero: The point here, Mr. President, like I said, I respected that, but the original intent was there until we met and decided to go the other way around with the assumption that Senator Reyes's concern to include Saipan, Rota and Tinian on this last paragraph on line 24, which I agree. He also mentioned the House of Representative--the 16 members from Saipan. The situation here, Mr. President, what I am trying to say, is that I originally worked on this amendment. This is the amendment that CDA had agreed to and all the majority of the House members have agreed to. Therefore, this is the actual intent and I do respect again, Senator Reyes's concern to include Saipan. But, looking at the situation in Rota and Tinian, it is only Tinian Dynasty and Rota Resort Hotel. We have several golf courses in Saipan and if they are concern, they would have registered their concerns before this amendment is introduced and apparently, they have not. Not only that it is at the discretion of CDA, but we have to believe in the delegation of authority, Mr. President, or else, we have nothing. We delegate the authority, I think to the board of CDA, and then you have the new governor coming in on January 14 to make that final decision under the QC. So, I am definitely sure that everybody's concern will be entertained. Thank you, Mr. President.

The Chair recognized Vice President Villagomez.

Vice President Villagomez: Thank you, Mr. President. Earlier we discussed the amendment and there were some concerns....

Senator Adriano: Mr. President, point of information.

President Manglona: State your point.

Senator Adriano: I think the motion was to include Saipan and the motion was never seconded. What's the discussion here?

Vice President Villagomez: May I?

Senator Adriano: Can we proceed back to the main...?

President Manglona: Let me just recognize Vice President Villagomez.

Senator Adriano: *Lao, tima second, nai*, Mr. President, *i motion ni parauma include Saipan ya ta sigi-ha dumiskute este.*

Senator Cing: We have to dispose, Mr. President, of the motion first.

Vice President Villagomez: There's no second to the motion.

President Manglona: I believe there's no motion....

Vice President Villagomez: We're discussing the bill.

Senator Adriano: It was not seconded, *ombre*.

President Manglona: So, we're back to the main bill. Is there any other member under discussion?

Senator Adriano: I move to the previous question, Mr. President.

Vice President Villagomez: I believe I have the floor.

President Manglona: I will ask Senator Adriano's indulgence so I can recognize Vice President Villagomez for the last time. If there is no other member then we will rest the question.

Vice President Villagomez: Thank you, Mr. President for providing me the opportunity to at least air my concern on the legislation. I believe that the amendment by Senator Reyes to include Saipan on the bill is more than sufficient. At least we show that we are helping. We are concern with the businesses here on Saipan. But, as we have discussed earlier, as Senator Cing has pointed out, I believe we should at least help some of the businesses rather than killing everybody. If we do not pass this legislation, it means that we're going to be killing the original concern of the amendment on the first part. I understand the concern that Senator Reyes pointed out on the businesses here on Saipan. But again, going back to our discussion, if we do include Saipan and open it up to all the businesses and, let's say, we passed the amendment to include Saipan, then everybody will be qualified in the tourism industry, and then everybody will be qualified on the QC and they will not pay taxes anymore.

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

President Manglona: State your point, Floor Leader Reyes.

Floor Leader Reyes: Mr. President, the inclusion of Saipan is not necessarily qualifying all those that are going to be applying to CDA for that QC.

Vice President Villagomez: Well, it qualifies them to petition for....

Floor Leader Reyes: I still have the floor, Mr. President, on clarification.

President Manglona: May I ask the Vice President to cut his statement, please?

Vice President Villagomez: I'll yield to Senator Reyes for his clarification. But, I still have the floor.

Floor Leader Reyes: Mr. President, the inclusion of Saipan allows the discretion to CDA. It does not necessarily mean that they qualify. CDA still has the sole option, the sole discretion and I read that on page 4, line 29, it says, "acceptance of which shall be the sole discretion of CDA". So, it does not translate as an approval that these businesses, if Saipan is included, will become qualified automatically. They have to apply and CDA has that discretion. That is the end of my clarification.

The Chair recognized Vice President Villagomez.

Vice President Villagomez: I appreciate that. Therefore, Mr. President, with his clarification, I move to end debate.

The motion to end debate was carried by voice vote.

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	Absent

Floor Leader Reyes: Mr. President, with the removal of Saipan, we still need to support other businesses. I am sad that Saipan was not included, but I do support the intent to keep the operations in Tinian and Rota going. So, my vote is “yes”.

Senator Pete P. Reyes	Yes
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Vice President Villagomez: With the clarification of Senator Reyes, I am voting “yes”.

Senator Thomas P. Villagomez	Yes
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President Paul A. Manglona	Yes
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Eight (8) members voted yes.

President Manglona: By a vote of eight (8) yes, the Senate hereby passes House Bill No. 12-380, HD1, HS1, SS1, on Final Reading.

#### RESOLUTION CALENDAR

SENATE RESOLUTION NO. 12-56: A SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE HONORABLE JOSE R. LIFOIFOI OF SAIPAN, IN HIS RECENT APPOINTMENT BY THE PRESIDENT OF THE REPUBLIC OF PALAU AS HONORARY CONSUL GENERAL TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

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

Their being no discussion, the adoption of Senate Resolution No. 12-56 was carried by voice vote.

President Manglona: Senate Resolution No. 12-56 is adopted by the Senate.

#### PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

None

#### MISCELLANEOUS BUSINESS

None

#### ANNOUNCEMENT

The Chair recognized Senator Guerrero.

Senator Guerrero: I just want to wish all my colleagues here a Merry Christmas, and, if we are not having a session, Mr. President, good luck to everybody.

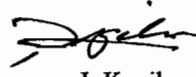
Senator Atalig: Thank you, Mr. President. I just want to ask the Chairman of EAGI if the public hearing is still on for the 20<sup>th</sup> (December). Otherwise, Merry Christmas and a Happy New Year.

President Manglona: I would like to announce that the Governor-Elect and Lt. Governor-Elect are inviting the Senate members for lunch at 1:00 p.m. at China House. Thank you. Is there a motion for adjournment?

Several members voiced, “I so move”, and the motion to adjourn carried by voice vote.

President Manglona declared the Senate adjourned subject to the call of the Chair at 12:54 p.m.

Respectfully submitted,



Ramona I. Kapileo  
Senate Journal Clerk

Adopted: Jan. 11, 2002