

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

First Day

Wednesday, July 11, 2001

The Senate of the Twelfth Northern Marianas Commonwealth Legislature, First Day, Fourth Special Session, 2001, was called to order at 2:20 p.m. in the Senate Chamber, on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

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

A moment of silent prayer was observed.

The Senate Clerk called the roll and all nine (9) members were present.

President Manglona: With all 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. 12-734: June 18, 2001 – Certification for vacant positions of Environmental Health Trainee II and Physician Assistant at the Rota Health Center that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-735: June 20, 2001 – Assignment of a public law number to HB 12-046 as a result of the override action by the Senate and the House. (PL 12-54)

Gov. Mesg. No. 12-736: June 20, 2001 – Informing the Legislature that he had signed into law HB 12-393, entitled, "To amend 1 CMC §§ 6321, 6331 (b) and 6342 to provide for the timely filing of nominating petitions for candidates for elective offices in the Northern Mariana Islands, to add a new article 5 to Chapter 3; and for other purposes." (PL 12-55 – 12/20/01)

Gov. Mesg. No. 12-737: June 21, 2001 – Nominating Ms. Miranda Lynn Villagomez Manglona to serve as a member of the Election Commission to represent Rota.

Gov. Mesg. No. 12-738: June 22, 2001 – Certification for a vacant position of Social Worker within the office of the Mayor of Rota that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-739: June 25, 2001 – Certification for a vacant position of Community Worker within the office of the Tinian Municipal Council that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-740: June 25, 2001 – Informing the Legislature that he had signed into law SB 12-103, entitled, "To improve reporting and other requirements relating to Child Abuse or Neglect; and for other purposes." (PL 12-56 – 06/25/01)

Gov. Mesg. No. 12-741: June 25, 2001 – Informing the Legislature that he had signed into law HB 12-363, entitled, “To amend Public Law 10-5 ‘The Commonwealth Museum Act of 1996’ (codified at 2 CMC 4871 et seq.); and for other purposes.” (PL 12-57 – 06/25/01)

Gov. Mesg. No. 12-742: June 26, 2001 – Certification for vacant positions of one Senior Mayor’s Aide, one Researcher, and two Community Workers within the office of the Mayor of Tinian that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-743: June 29, 2001 – Certification for a vacant position of Engineer IV in the Tinian Department of Public Works that must be filled during the period of continuing resolution.

Gov. Mesg. No. 12-744: July 2, 2001 – Submission of the Governor’s Revised Commonwealth Budget Proposal for FY 2002.

Gov. Mesg. No. 12-745: July 3, 2001 – Informing the Legislature that he had signed into law HB 12-288, CS1, the American Memorial Park Projects Appropriations Act of 2000. (PL 12-58 – 07/03/01)

Gov. Mesg. No. 12-746: July 3, 2001 – Informing the Legislature that he had signed into law HB 12-317, SS1, Conf. D1, entitled, “To place a moratorium on the application of PL 11-69 to permit a thorough assessment of its potential impact on the Commonwealth; and for other purposes.” (PL 12-39 – 07/03/01)

Gov. Mesg. No. 12-747: July 3, 2001 – Informing the Legislature that he had disapproved HB 12-392, entitled, “To amend PL 10-41, Section 530(e) to allow reprogramming of unobligated fund balances to various community projects in the First Senatorial District; and for other purposes. (DISAPPROVED ON 07/3/01)

Gov. Mesg. No. 12-748: July 05, 2001 – PL 11-6 Exemption for Aqua Resort Club.

Gov. Mesg. No. 12-749: July 05, 2001 – PL 11-6 Exemption for Full House Inc. dba Micro Beach Hotel.

COMMUNICATIONS FROM THE JUDICIARY

None

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS

None

HOUSE COMMUNICATIONS

Hse. Comm. No. 12-271: Informing the Senate that the House accepted the Conference Committee amendments to HB 12-317, SS1, entitled, “To place a moratorium on the application of Public Law 11-69 to permit a thorough assessment of its potential impact on the Commonwealth and for other purposes.”

Hse. Comm. No. 12-272: Transmitting for Senate action HB 12-167, CS1, entitled, “Prohibiting the sale, manufacturing, distribution or use of certain cleaning agents containing phosphates; conferring powers and duties on the Division of environmental Quality; and providing penalties; and for other purposes.”

Hse. Comm. No. 12-273: Transmitting for Senate action HB 12-234, CD1, HD1, entitled, “To amend Section 7204 1 CMC by adding a new subsection (f) to require each department and government agency to make payment on its utility obligation by providing an yearly amount on its fiscal year budget allocation; and for other purposes.”

Hse. Comm. No. 12-274: Transmitting for Senate action HB 12-322, CS1, entitled, “To repeal Section 203 of Executive Order 94-3 and establish the Commonwealth Youth Affairs Act; and for other purposes.”

Hse. Comm. No. 12-275: Transmitting for Senate action HB 12-382, HD1, entitled, “To repeal and replace PL 12-39, to create a Commonwealth Telecommunications Commission, to enact the ‘Commonwealth

Telecommunications Act of 2001’, to amend 4 CMC, Division 8 by adding a new Chapter 3, Section 8301, et seq., and for other purposes.”

Hse. Comm. No. 12-276: Transmitting for Senate action HB 12-398, HD1, entitled, “A Bill for an act to amend 1 CMC §§6423 and 6705 (a), (b), and (c); and for other purposes.”

Hse. Comm. No. 12-277: Informing the Senate that the House accepted the Senate amendments to HB 12-201, CD1, entitled, “To reduce the security that a bank must pledge in bank assets for the protection of CNMI Government funds deposited in such bank from 110 percent to 100 percent; and for other purposes.”

Hse. Comm. No. 12-278: Transmitting for Senate action HJR 12-24, entitled, “To urgently request the Honorable Pedro P. Tenorio, Governor of the Commonwealth of the Northern Mariana Islands, Mr. John B. Cepeda, Secretary of Public Works, Ms. Bertha C. Leon Guerrero, Director of Public Lands and Mr. Tom B. Aldan, Chairman of the Board of Public Lands to open a public road to serve landlocked properties situated in As Falipe and adjacent areas as per the following Lot No(s).” 1510, 1512, 1511, 1516, 1609, 1520, 1495, 1515; and for other purposes.”

WASHINGTON REPRESENTATIVE'S COMMUNICATIONS

None

STANDING COMMITTEE REPORTS

STANDING COMMITTEE REPORT NO. 12-50: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR’S NOMINATION OF MRS. ANA DEMAPAN CASTRO TO SERVE AS A MEMBER OF THE BOARD OF PUBLIC LANDS MANAGEMENT.

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

President Manglona: Is there any discussion?

Both Senator Dela Cruz and Senator Guerrero voiced, “ready”.

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Ms. Ana Demapan Castro to serve as a member of the Board of Publics Land Management.

STANDING COMM. REPORT NO. 12-51: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR’S

NOMINATION OF MS. MIRANDA LYNN VILLAGOMEZ MANGLONA TO SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT ROTA.

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

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Mrs. Miranda Villagomez Manglona to serve as a member of the Election Commission representing Rota.

STANDING COMMITTEE REPORT NO. 12-52: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S NOMINATION OF MR. MIGUEL M. SABLAN TO SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT SAIPAN.

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

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Mr. Miguel M. Sablan to serve as a member of the Election Commission to represent Saipan.

STANDING COMMITTEE REPORT NO. 12-53: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S NOMINATION OF MS. ELIZABETH DLG. ALDAN TO SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT SAIPAN.

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

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Ms. Elizabeth Aldan to serve as a member of the Election Commission representing Saipan.

STANDING COMM. REPORT NO. 12-54: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S NOMINATION OF MR. JOSE L. ITIBUS TO SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT SAIPAN.

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

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes
Senator David M. Cing	Yes
Senator Jose M. Dela Cruz	Yes
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes

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

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Mr. Jose L. Itibus to serve as a member of the Election Commission representing Saipan.

STANDING COMMITTEE REPORT NO. 12-55: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S NOMINATION OF MS. FRANCES M. SABLAN TO SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT SAIPAN.

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

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Ms. Frances M. Sablan to serve as a member of the Election Commission representing Saipan.

STANDING COMMITTEE REPORT NO. 12-56: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S NOMINATION OF MR. CHARLES A. MANGLONA TO SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT ROTA.

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

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

Senator Joaquin G. Adriano	Yes
Senator Ricardo S. Atalig	Yes

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

Eight (8) members voted yes and one (1) abstention.

President Manglona: By a vote of eight (8) yes, and one abstention, the Senate hereby confirms Mr. Charles A. Manglona to serve as a member of the Election Commission representing Rota.

STANDING COMMITTEE REPORT NO. 12-57: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S NOMINATION OF MR. MATHEW MASGA TO SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT TINIAN.

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

President Manglona: Is there any discussion?

Several members voiced, "ready".

President Manglona: Senate Clerk, call the roll please.

The Senate Clerk called the roll with the following result:

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

Nine (9) members voted yes.

President Manglona: By a vote of nine (9) yes, the Senate hereby confirms Mr. Mathew Masga to serve as a member of the Election Commission representing the island of Tinian.

STANDING COMMITTEE REPORT NO. 12-58: FROM THE COMMITTEE ON EXECUTIVE APPOINTMENT AND GOVERNMENT INVESTIGATIONS REPORTING ON THE GOVERNOR'S NOMINATION OF MRS. CARMEN DLC. FARREL SERVE AS A MEMBER OF THE ELECTION COMMISSION TO REPRESENT TINIAN.

Floor Leader Reyes moved for its 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	Abstained
Senator Ramon S. Guerrero	Yes
Senator Edward U. Maratita	Yes
Senator Pete P. Reyes	Yes
Senator Thomas P. Villagomez	Yes
President Paul A. Manglona	Yes

Eight (8) members voted yes and one (1) abstention.

President Manglona: By a vote of eight (8) yes and one (1) abstaining the Senate hereby confirms Mrs. Carmen Farrel as a member of the Election Commission representing Tinian.

SPECIAL/CONFERENCE COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

PREFILED BILLS AND RESOLUTIONS

Sen. Bill No. 12-122: A Bill for an Act to lower water rates for local farmers and for other purposes. (SEN. JOSE M. DELA CRUZ – 07/10/01)

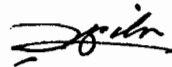
Sen. Bill No. 12-123: A Bill for an Act to make amendments to the Board of Public Lands Act of 2000, 1 CMC §101(a), Section 102, §104(h) and § 106(d); and for other purposes. (SEN. JOAQUIN G. ADRIANO – 07/11/01)

The Chair recognized Floor Leader Reyes.

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

President Manglona declared the Senate adjourned subject to the call of the Chair at 2:30 p.m.

Respectfully submitted,



Ramona I. Kapileo
Senate Journal Clerk

Adopted: Jan. 11, 2002